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# HISTORY OF CONNECTICUT













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# HISTORY OF CONNECTICUT

BY  
HAROLD J. BINGHAM, Ph.D.

VOLUME I

PROPERTY OF  
HOLMES SCHOOL  
DARIEN, CONN.

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## PUBLISHERS' FOREWORD

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WHEN DR. BINGHAM began the labors of research and compilation that have resulted in these impressive volumes, he wrote in part as follows:—

The writing of a history of Connecticut entails a dual responsibility: that of portraying the state's contribution to the growth of the United States, and that of illuminating the unique characteristics of the state's development.

Connecticut's influence has extended beyond the rock-laden hills of its countryside. The state has made significant contributions to representative government, although its solutions to public problems have seldom been novel. In national politics, the electoral count has made Connecticut's political power comparatively slight, yet its leadership and contributions have assured the state of political influence. A cosmopolitanism in art and letters has added to its prestige in political and non-political matters. The Connecticut craftsman has been unexcelled and Yankee notions have been necessities of American households for generations. Indeed, wherever Yankees have been, Connecticut culture has persisted.

The record of early Connecticut has been carefully studied. Scholarly monographs record and interpret the state's history to 1865, and local histories add color to the story. However, as the Federal Union became more firmly established, and as the national government increased in importance, there was a lessening of interest in local history. The record for the later period, then, is not so complete. It is intended in this study to maintain a balance, in scope and emphasis, of the old and the new Connecticut.—

That the plan and program thus outlined have been followed with a rare power of analysis and gift of pleasing expression is, we believe,

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obvious. So absorbed did the author become in his challenging task that the publication date had to be advanced, resulting, we are certain, in a degree of accuracy and appraisal that more than counterbalances the adjustments necessary to give him the time required for the satisfaction of his scholarly standards. Where the results of political and social trends are not fully apparent he has refrained from judgments and opinions, the proper attitude of his profession. Each generation views, reviews, and revises the interpretations of past movements and events, and at the point where guiding perspective is lost, the historian's work finds its conclusion.

The publishers wish to express their appreciation of the high degree of interest and cooperation extended the author and themselves by the scholarly fraternity, the advisers, and the public, and present what they feel to be a valuable contribution to Connecticut's historical literature.

THE PUBLISHERS

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## Chapter I

### The Land and the Traders

---

WHEN ADRIAN BLOCK, in the spring of 1614, piloted his recently-built American yacht, the *Restless*, through the narrow passageway which he named Hellgate and into Long Island Sound, he became the first European to discover Connecticut. His report of his exploration and observation of the coastline and rivers of Connecticut increased the interest in the New World and provided a general knowledge of the natives and natural environment. Even to an experienced explorer such as Block, nature revealed only the finished backdrop. The evidences of the incredibly long period of preliminary construction were discovered and studied by subsequent generations<sup>1</sup> and supplement the explorer's observations.

#### *The Natural Setting*

The record of the rocks indicates a drama of undetermined length in which the prologue spoke of the decline of ancient hills; the first act, during which the land was bounded by a bay on the West and by an ocean on the East, of mountain making; the second act, during which the general topography of the state was determined, of leveling and of lava flows; and the third, which included the period of glaciation, of altering detail. Each of these acts, to which geologists refer as the paleozoic, mesozoic, and cenozoic periods, was shorter than that which had preceded. Atmosphere, heat, water, and ice acted upon the rocks chemically and mechanically as agents of disintegration. The extent to which these disruptive forces were withstood varied with the rocks' strength. In these variations, for the most part, lies the story of the major geological and physiographic features of Connecticut.<sup>2</sup>



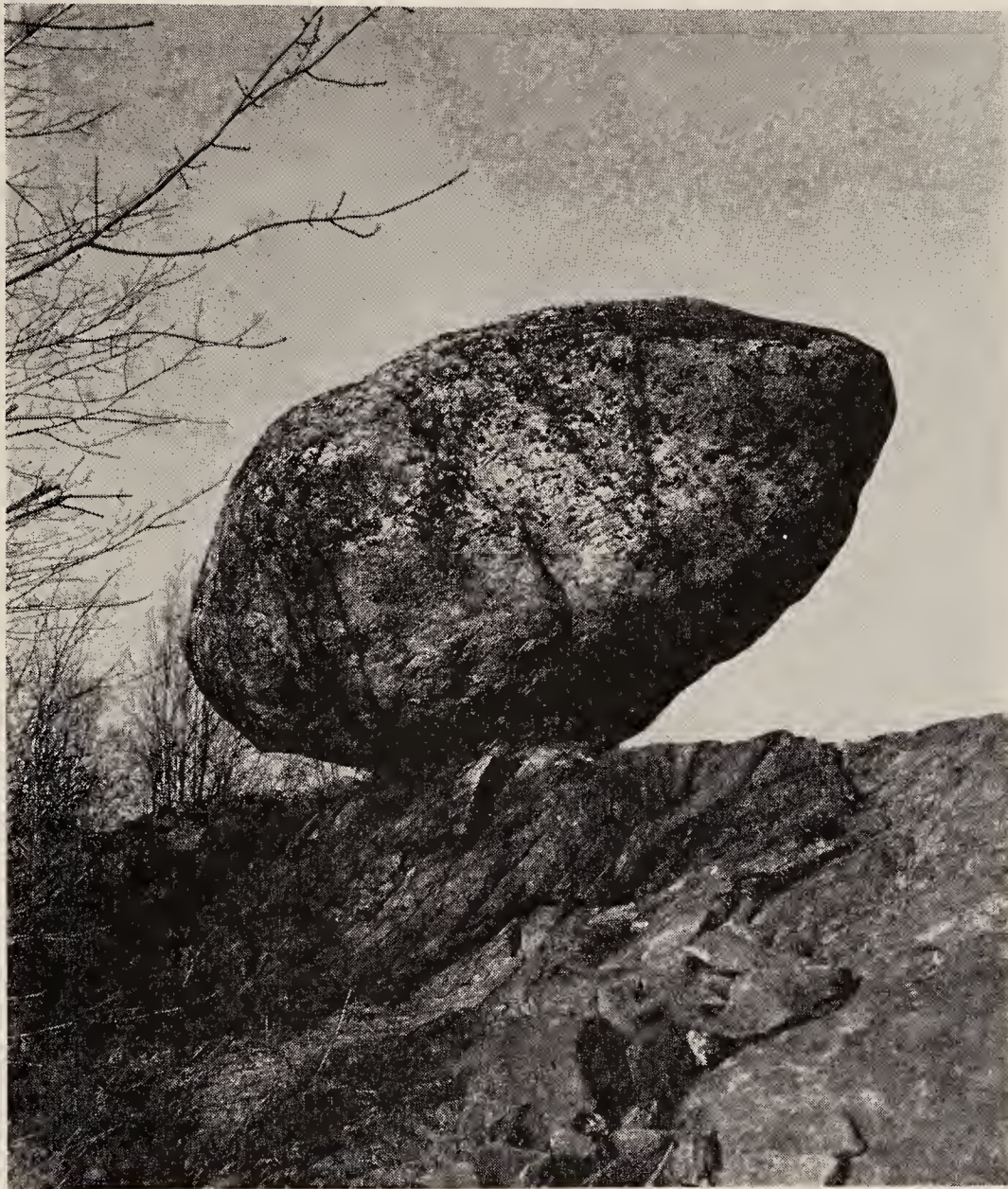
The Sound was not always the Great Bay, as Block called it. During the glacial epoch the level of the sea was lowered as water was taken from it to form ice sheets, and the Sound was, perhaps, a valley through which rivers had flowed. Had this condition prevailed in the time of Dutch and English settlement, considering the Yankee's ability in boundary disputes, it would have considerably extended the area of Connecticut. When the ice melted, however, water returned to the sea, the lower Connecticut Valley was submerged, and Long Island Sound and the present southern Connecticut shoreline were formed. Since then, the sea has accomplished only a slight amount of straightening by which it has made, from New York to Rhode Island, the relatively regular shoreline which Block followed as he explored areas about the Sound.<sup>3</sup>

As he pointed the *Restless* in a north-northeasterly direction, Block passed along the indented coastline which forms the southern boundary of the Western Upland, one of the three major topographic areas of the state. This area is drained by the systems of the Housatonic and the Farmington Rivers, whose valleys are separated by divides of land, approximately 200 feet in height, which extend in a slightly northeasterly direction into a series of elongated hills. These rise gradually to a height of from 1000 to 1500 feet, except Bear Mountain, which rises 2355 feet above the sea. The Western Upland is the highest region in the state, partly because it has been less affected by erosion and partly because the underlying rocks are more resistant.<sup>4</sup> These hard rocks crop out along the water's edge from the East River to the Norwalk River, a distance which Block logged as 24 miles. There, where he reckoned the Great Bay to be 12 miles wide, he observed a group of islands which lie from one to two miles off the mainland and which range up to one mile in length and one-third mile in breadth. Constant erosion has reduced their height to scarcely more than twenty feet.<sup>5</sup>

When he explored the area to the east, Block passed between the present sites of Fairfield and Stratford along the largest area of flat land along the shore. He continued past the abandoned sea cliffs nearby to the site of West Haven where the first signs of the Connecticut Lowland appear. This second major topographical area of Connecticut divides the previously discussed Western Upland from the Eastern Upland. From New Haven, the Lowland extends to the northern boundary of



the state and increases in width from eight to twenty miles. This Lowland of Connecticut is interrupted frequently by low hills from 100 to



*(Courtesy Conn. State Lib.)*

EAST HARTLAND—GREAT BOULDER, DEPOSITED BY ICE SHEET,  
AND EASILY TEETERED SLIGHTLY

200 feet in height, and, occasionally, by sharp unreduced ridges. One of these ridges, Talcott Mountain, divides the Lowland into unequal parts. The western part is drained by the Farmington River to the north and by the Quinnipiac to the south, and the eastern part is drained by the Connecticut River. Of these, only the Quinnipiac emp-



ties into the Sound in the Lowland region, for nature altered the course of the Farmington so that it merges with the Connecticut and altered the course of the Connecticut so that its mouth was placed further to the east.<sup>6</sup>

Block noted the river which the natives called the Quinnipiac as being "about a bow shot wide" and of a depth of three and one half fathoms at high water. When the first settlers arrived, they found it of "sufficient depth for all the ordinary purposes of commerce." An explorer's name for an area is likely to be descriptive of its natural surrounding and the Dutch names of "Royenberg" for the river and of "Rodenberg" for the settlement identified the abundance of red sandstone which is characteristic of the whole of the Connecticut Lowland. The rounded rocks of the area are cemented together by a composition, largely red oxide of iron, which fills the chinks between the grains of rock.<sup>7</sup>

As he proceeded along the shoreline from New Haven east to Guilford, Block passed what was later described as Connecticut's "rock bound coast." Although beyond Guilford the nature of the shore changes abruptly and sandy beaches appear, hard granite-like rocks are generally characteristic of the Eastern Upland. This third major topographical area of Connecticut lies to the east of a line which extends in general from Branford northward to Middletown, Rocky Hill, Manchester, and on to the state line. From the broadly indented shoreline, the land rises to the northern boundary of the state, where the general level of the divide is from 800 to 1000 feet in height, while the principal river valleys are reduced to 500 to 700 feet above sea level. There are included within this region of moderately high hills more than two dozen separate groups of rock formations. The rocks of the area were once deposited as sediments but have been greatly altered by the subterranean action of heat and water, by the chemical action of percolating waters and vapors, and by fusion and solidification. The area is drained primarily by the Thames, far to the east, and by the Connecticut, which enters the Upland below Middletown and cuts across the southwestern corner of the region to enter the Sound at Saybrook.<sup>8</sup>

Block recorded the distance from New Haven to the Fresh River, as the Dutch called the Connecticut, as being 24 miles. The *Restless* was



turned into the river, and its sails were rigged to catch full wind to enable it to leave the shallow mouth and head north, for the current was swift and to the southward. Shades of pink and red intermingled with grays and greens along the shore to mark the presence of granite-like rocks. The river extends in a north-northwesterly direction to Higganum and there turns northward to Cobalt, where it turns at a 90 degree angle before passing through the last of the narrow gorges of crystalline rocks. Then it rejoins its ancient course in the Lowland Valley.<sup>9</sup>

Block followed the course of the river past Hartford to the vicinity of the falls at Enfield. The river at Hartford was described as being more than five feet deep. From that point the Connecticut follows a crooked course for thirty miles in a northerly direction. Here, if one considers the description in Johannes de Laet's *New World* to have been based on Block's journal, Block navigated the distance with some difficulty to a point where the river became rocky and quite shallow. The rapids further to the north suggest that at some ancient time the valley was perhaps filled and the stream forced to make a new way for itself across the country until it dropped again into its former stream or into a valley of another stream, thereby forming falls or rapids. Waterfalls are common to Connecticut, and, like the lakes, are of comparatively recent origin as measured by geological time.<sup>10</sup>

Connecticut might be termed a land of lakes. It has been estimated that at the beginning of this century there were more than 1000 lakes in the state and it has been conjectured that there were at least that many at the time of the first settlement. The lakes owe their existence chiefly to the fact that Connecticut was in the path of the glacial advance which greatly altered the landscape as it retreated. Subsequently, when rain fell, it did not find established channels to carry it to the sea, and the water remains in the hollows while the streams are being re-established. The Connecticut River, it has been suggested, was sufficiently large to be only slightly affected by the period of glaciation.<sup>11</sup>

From the rocky river bed above Hartford, Block retraced his route down the river to the Sound and headed in the direction of the Thames River. This portion of the shore is fairly even, and, although boulders are not lacking, they are in comparatively small numbers. Between

them, there are the long sweeping crescent beaches characteristic of a region composed alternately of resistant and non-resistant materials. As he approached the Thames, which the Dutch called the Siccanamos after the Chief of the Indians living in the area, Fisher's Island came into view. At the Thames was found "a good roadstead behind a sand point about a half league [ $1\frac{1}{2}$  miles] from the western shore in two and a half fathoms of water" which permitted ships to navigate about fifteen or eighteen miles up the river.<sup>12</sup>

From the Thames to the Pawcatuck River, Fisher's Island is so near the shoreline that it serves to break the force of the large waves, and the boulders at the water's edge serve as a bulwark against their further advance. Block apparently followed the shoreline to Watch Hill and beyond, as it is noted in the translation of the Latin version of de Laet's *New World* that "the mainland forms a crooked prominence in the shape of a sickle, behind which an inlet receives a small stream that flows from the east," which, for that reason, was named East River by the Dutch. After coming out of the inlet, Block next visited Montauk Point and the island which bears his name. He then left the Connecticut vicinity, voyaging from the Sound to Narragansett Bay, Martha's Vineyard, and Cape Cod before he returned to Holland to make the report which was to stimulate interest in the New World.<sup>13</sup>

### *The Indians of Connecticut*

In addition to observing the natural environment, Block noted the Indians who lived in the territory and indicated their general habits and characteristics. Ethnologists have divided Connecticut Indians into six groups. Along the coast, from the east bank of the Hudson River to the east bank of the Connecticut, lived members of the Wappinger Confederacy, which included the better known sachemships of the Connecticut River Valley. Far to the northwest lived a tribe of the Mahicans of the upper Hudson. To the northeast lived the Nipmunks of Tolland and Windham counties, whose principal seats of operation were the southern townships of Massachusetts. These last two tribes, fragments of tribes of other states, played a comparatively unimportant role in the history of Connecticut. The Niantics were located along

the Sound, where they had been driven by the Pequots, who were to have the greatest impact upon the colonial settlers. The Western Niantics occupied the area from the Connecticut River to the Niantic and the Pequot from there to the Rhode Island line, except for the southeastern tip of the state, where the Eastern Niantics lived.<sup>14</sup>

By the European, these Indians were regarded contemptuously as primitive men. Settlers, who brought with them a more advanced pattern of culture, could not see in the Indian anything but "an imperfect copy of themselves." Aboriginal Americans were considered to "live like beasts, . . . more animal than rational." The Indians were incapable of carrying on an abstract train of thought and were without a systematic form of writing. They could communicate sufficiently well to carry on routine duties of daily living and relations with other tribes. There were similarities of language structure among the four different dialects in use by the various tribes of Connecticut. The Indian mode of life was that of the Stone Age; metal was unknown. Only the bare rudiments of weaving and pottery were practiced, and, as compared with those of other regions of North America, these were crude and utilitarian. Agriculture was practiced to a greater extent than in northern New England; yet, in the absence of domesticated animals, the economy of the Indians was basically that of forest hunters for whom nature provided most of the necessities. The ability of this natural man to live in accordance with the limitations and opportunities of his natural environment hastened the adaptations of the European to it and facilitated their conquest of it. Nevertheless, the Indians were, to the settler, an example of "what he must not be."<sup>15</sup>

There were, however, Indian institutions which seemed to be well defined, and, in some respects, similar to those of the European. Monogamy was generally practiced except by the leaders and the wealthier Indians and divorce was permitted. Betrothals were pledged upon the acceptance of a gift, and, if a sachem gave his consent, the couple was looked upon as man and wife. The children were treated with indulgence and affection, with reasoning used more than corporal punishment in training. A more severe discipline was imposed upon the girls than upon the young men, for the latter were encouraged to display their independent spirits.<sup>16</sup> To the settlers, any basic similarity of con-



cept was less apparent than surface contrasts, which came to be regarded as incompatible and menacing.

The common desire for land was in fact the crux of the conflict between the Christian and barbaric civilizations. Indians were most



(Courtesy Conn. State Lib.)

FARMINGTON—RED SANDSTONE MONUMENT ERECTED IN 1840 IN THE RIVERSIDE CEMETERY IN MEMORY OF THE TUNXIS INDIANS

dense along the seacoast and the rivers, the areas of greatest attraction to the white man. Those Indians who were to be the strongest opponents of the white man in Connecticut were the Pequots of the Algonquian family. The Pequots, who had come into the area, perhaps, in the latter part of the sixteenth century, had "a well defined sense of land rights." Records of colonial towns reveal their deeds of land to white men and to other Indians. In the beginning of colonial settlement, the

basic concept of the European in regard to the right of the Indians to the land was also fairly well defined. At that time, it was considered that Indian land could be secured only by purchase, for it was held that the Indians possessed the lands as a natural right and could not be held responsible for not "going forth and cultivating the lands according to God's will." By their attacks on the settlers, however, the Indians were considered to have forfeited their natural rights, and to have become, instead, subject to the will of God. It was then asserted that Connecticut was the garden spot of the earth intended for occupancy by God's children, whose *divine right* to the land took precedence over a mere *natural right*. Such a right, however, entailed a responsibility to develop the land and to civilize and Christianize all inhabitants of it.<sup>17</sup>

The practice of a mythology, strange and unfamiliar to the white man, seemed to him a justification for his attempt to advance God and civilization. The mythology of the Indian, which apparently varied from tribe to tribe, was a combination of philosophy and fiction, mysticism and ethics. Indian belief reversed the Christian tenet that man was made long before the flood. In the Indian scheme of the universe, a supernatural enemy had destroyed the earth and it had then been restored and peopled by a supernatural being. It was believed, too, that this supernatural being had provided, in the animals and birds, guardian spirits who accompanied the Indians in every undertaking and willed success or failure. John W. DeForest suggests that the Indians believed in the existence of the soul after death, with the good admitted to a heaven and the wicked turned away to wander forever in restless discontent. In return for the riches of Connecticut, the settlers believed they must alter these Indian concepts to conform to Christianity, or, more particularly, to Puritanism.<sup>18</sup>

The weakness of the Indians, in their relations with the white settlers, lay in the Indian political organization. The primary unit was the village; the authority of the leader seldom extended beyond its boundaries, and even within these did not go undisputed. During time of war, a chief would be named to command a number of villages, but the office of the sachem, who was the civil leader, was hereditary within the sachemship. It seems that, if the sachem were incapable of performing his duties, he could readily be deposed and another of the same



family selected. In consequence, the sachem tried not to violate the wishes of his subjects, and, on matters of great importance, gathered all his people in council to participate in the decision. On such occasions, ceremonies, ritualism, and magic played a part. Such a "powwow" was regarded as most ominous by the white settlers. The beating of the drums and the singing aroused in the settlers the fear of a war directed against them. The Indians, however, were most often at war with each other. Proud and vengeful little quarrels were easily provoked among the villages and frequently developed into real battles that seemingly never brought peace. Family bonds were only occasionally strong enough to cause the Indians to unite against a common enemy, and the significant contest for the land was not between the Indians and the Europeans, but between the contending nationalities of Europeans.<sup>19</sup>

### *The Dutch Claim*

With the return of Block to Amsterdam in September, 1614, and the dissemination of the information he brought concerning the land and inhabitants of Connecticut, interest quickened on the part of the Dutch merchants in the possibility of trade in the New World. They acted quickly and received from the Estates General of Holland a special trading charter to make four voyages to the "newly discovered lands lying in America . . . the sea-coast whereof extends from the fortieth to the forty-fifth degree of latitude" on a figurative map that was, perhaps, prepared by Block or under his direction.<sup>20</sup> Although Block himself turned his attention to the whaling industry and is not known to have returned to New Netherlands, as the Dutch called the Connecticut area, the representatives of this early company continued to explore and trade in the New World until its charter expired in 1618. Three years later a more inclusive charter was given to the Dutch West India Company. Under this new charter this company had almost unlimited powers to colonize and govern New Netherlands.<sup>21</sup>

The Dutch claim to the Connecticut territory was based primarily upon the contention that under this charter two families and six men went to the Connecticut River area immediately upon the arrival of the first permanent Dutch settlement in Manhattan in 1624. In view of the active trading of the Dutch, and in view of the provision in the



charter that the Dutch West India Company was to establish four forts, one of which was to be on the Connecticut, an early settlement seems quite probable. After carefully weighing the evidence, however, Charles M. Andrews concluded that "continuous occupation" of the Connecticut area by the Dutch from this time seemed unlikely. He felt that if the place were ever actually taken over, it was early abandoned.<sup>22</sup>

Later the Dutch did extend their activities in the region of the Connecticut River. In 1632, a Dutch merchantman of the West India Company landed passengers at the mouth of the river at Saybrook, which they named Kivett's Point, and affixed to a tree the arms of the Estates General of the Netherlands. Meanwhile, instructions had been given which resulted in 1633 in the purchase from Wopigwooit, the Grand Sachem of the Pequots, of about twenty acres which extended for about one Dutch mile on the west side of the river and for about one-third of a mile inland. To facilitate commercial operations on a larger scale, it was provided in the purchase agreement that the area would always be a neutral ground where other tribes might trade and where no war was to be waged. A redoubt, named "Good Hope," was erected on the site and fortified with two cannons.<sup>23</sup>

### *Opposition to the Dutch Claim*

The Dutch were from the first opposed by the British settlers at Plymouth. Local colonial antagonisms more and more frequently corresponded to the national policies of Britain and Holland, who were fighting for commercial supremacy. At these times the colonies were supported by the national policies of their home governments. The time had not yet come, however, when local colonial antagonisms were final determinants of policies of European nations, and, at times, other considerations led to a measure of cooperation between the English and Dutch governments. A parallel, official semblance of cordiality would then exist between the colonies, but would be only imperfectly reflected in their actions. Local rivalries were sometimes too sharp for complete conformity to policies announced in Europe. Indicative of a basic concurrence between colony and motherland in an underlying hostility toward a common rival was the tolerance with which European governments viewed such departures from official policy.<sup>24</sup>

To the settlers at Plymouth, the Dutch were “interlopers” and “intruders.” The Plymouth settlers repeatedly reported the intolerable abuse of the savages by the Dutch and the promiscuous trading between the two which was asserted to endanger seriously the British plantation. These protests from Plymouth were recognized by a British royal proclamation which limited trade in New England to the planters and adventurers of that place. After the treaty of alliance between England and Holland against Spain in 1625, and after Charles I had ordered the English colonies to trade with the Dutch, assurances of friendship were exchanged between the colonies. The Dutch Ambassador was entertained by William Bradford, then Governor of Plymouth, whose responsibility as a host did not prevent his questioning the right of the Dutch to trade within the limits of New England. In the same year, the Dutch “seeing that the Puritans were seated there in barren quarters, with friendly purposes told them of a river” and recommended it as a fine place for a plantation. Yet, Peter Minuit’s vessel was arrested in 1632 when a storm forced it to stop at Plymouth. The Dutch protested earnestly, but Charles I, instead of rebuking the colony, was strangely “uninformed of his rights” to do so and delayed an answer. When, in the same year, the Dutch submitted to the English a formal request for recognition of her claim to New Netherland, it was firmly denied.<sup>25</sup>

### *The English Traders*

The English claimed to have settled the Connecticut area prior to the Dutch. This is based essentially on an assertion by Edward Winslow of Plymouth that he visited Connecticut in 1632 and selected and temporarily occupied the area a year before the Dutch appeared there. On this basis he contended that the area was not *vacuum domicilium* at the time of the Dutch arrival. This would not have corresponded to the English theory that an area could be preempted only by effective occupation and would hardly have been honored by the English had it been offered by a rival. It should be noted that the only evidence that Winslow was in Connecticut in 1632 is a letter which he, himself, wrote to John Winthrop in 1644, some years after settlers from Plymouth had confronted the Dutch on the Connecticut River. Moreover, the letter was written to support the claims of the English settlers.



There is no reference to corroborate Winslow's claim in the record of his visit to Massachusetts in July, 1633, "to confer about joining in a trade in Connecticut for beaver and hemp," although it would be expected that he would have mentioned, at this time, any previous visit to Connecticut.<sup>26</sup>

Winslow's proposed adventure was regarded officially in Massachu-



(Angell Collection)

(Courtesy Norwalk Historical Society)

NORWALK—SITE OF OLD "FRUITFUL SPRING," TREASURED BY SETTLERS  
THREE CENTURIES AGO AND REFERRED TO IN EARLIEST RECORDS.  
LOCATED UNDER OLD BEECH TREE AT EDGE OF MARSH BETWEEN  
SHOREHAVEN GOLF COURSE AND THE SOUND

setts as "not fit to meddle with," but there were individuals in the colony who were interested. A group of these left for Connecticut in September, 1633, "directed by a special providence," according to the contemporary chronicler, Hubbard, and induced "to take advantage of an opportunity for trade," according to the modern historian, Andrews. Among the adventurers were men such as John Oldham, who was restless, independent, contentious, and courageous and seemed born for the frontier. Although he was regarded by some as a man "unfit for us to deale with," he was an indomitable trail blazer. He was accompanied by Samuel Hall and others whose names are unrecorded.<sup>27</sup>



When Oldham and Hall returned to Massachusetts, they carried beaver, hemp, and black lead as examples of what might be found in Connecticut. Oldham reported that on the Connecticut River there were "many desirable places fit to receive many hundred inhabitants." The next year, he accompanied ten householders and planters who settled at Pyquag or Wethersfield. The settlement was reinforced the following May by additional settlers. As the land was broken and rye was sowed, Wethersfield took on some of the characteristics of a permanent settlement. Oldham's restless nature changed less, and he was murdered at Block Island when on one of his trading expeditions.<sup>28</sup>

In the meantime, Winslow had determined to trade in Connecticut without the assistance of the Bay colony. He commissioned William Holmes to occupy a point on the Connecticut River. Aware of the possibility of difficulty with the Indians and with the Dutch, the Holmes group stowed the frame of a house, complete with nails and other needed items in the hold of their "great new bark" and sailed for the Connecticut. As they came in sight of Fort Good Hope, the Dutch demanded to know "what they intended and whither they would go." When the English indicated they were bound up the river, the Dutch "bid them strike and stay or else they would shoote them." The Dutch ordnance remained silent, however, as the settlers from Plymouth proceeded past the fort to establish a place on the river as ordered. When they came to a spot about nine miles further up the river, slightly below a rivulet (the Tunxis or Farmington River), they "clapt up their house quickly, and landed their provisions, and left the company appoynted, and sent the barke home."<sup>29</sup>

In Connecticut, the era of exploration was over, and the period of settlement beginning.

#### NOTES—CHAPTER I

<sup>1</sup> Credit to Block for the discovery of Connecticut is based almost entirely upon Johannes de Laet's publication, *New World or Description of West India*. The original Dutch edition of this was published in 1625, a second Dutch edition in 1630, a Latin version in 1633, and a French translation in 1640. Chapter 8, Book III, is of greatest interest for Connecticut, and, fortunately, there are only slight variations of the text of this chapter in the various editions. See Johannes de Laet, "Extracts from the New World or a description of the West Indies," *Collection of the New York Historical Society* (New York, 1841, 1849). Also, J. Franklin Jameson, "From the New World by John DeLaet, 1625, 1630, 1633, 1640," *Narratives of New Netherland, 1609-1664* in

*Original Narratives of Early American History*, J. Franklin Jameson, ed. (New York, 1909), pp. 29-60 (Hereafter cited as Jameson, ". . . DeLaet."). There seems little doubt that de Laet used Block's journal, but it is impossible to determine if any of the description of Connecticut came from other reports made after Block's journey but before the publication of the *New World*.

- <sup>2</sup> William North Rice and Herbert Ernest Gregory, "Manual of the Geology of Connecticut," Bulletin No. 6, State of Connecticut Geological and Natural History Survey (Hartford, 1906), pp. 17-38. (All bulletins of the State Geological and Natural History Survey will hereafter be cited as "Geol. Bull." with the appropriate number.)
- <sup>3</sup> John Romeyn Brodhead, *History of the State of New York* (New York, 1853), pp. 55-56; Jameson, ". . . De Laet," p. 44; Richard Foster Flint, "The Glacial Geology of Connecticut," Geol. Bull. No. 47 (Hartford, 1930), pp. 215-220; Wilbur G. Foye, "The Geology of Eastern Connecticut," Geol. Bull. No. 74 (Hartford, 1949), pp. 23-29; Henry Staats Sharp, "The Physical History of the Connecticut Shoreline," Geol. Bull. No. 46 (Hartford, 1929), p. 94.
- <sup>4</sup> Geol. Bull. No. 6, pp. 17-22, 74-81; Geol. Bull. No. 47, pp. 30-31; "Preliminary Geological Map of Connecticut," 1956, Connecticut Geological and Natural History Survey (Convent Station, New Jersey, 1956) (Hereafter cited as Geol. Map of 1956); Jameson, ". . . De Laet," p. 44.
- <sup>5</sup> Brodhead, *History of New York*, pp. 55-56; Jameson, ". . . De Laet," p. 44; Geol. Bull. No. 46, p. 94; Geol. Map of 1956.
- <sup>6</sup> Joseph Barrell, "Central Connecticut in its Geological Past," Geol. Bull. No. 23 (Hartford, 1915), pp. 1-44; Geol. Bull. No. 6, pp. 17-22, 251; Geol. Bull. No. 46, p. 30.
- <sup>7</sup> Brodhead, *History of New York*, p. 56; Jameson, ". . . De Laet," pp. 43-44; Geol. Bull. No. 46, pp. 87-94; Geol. Bull. No. 47, pp. 163, 226.
- <sup>8</sup> Geol. Bull. No. 6, pp. 18-38; Geol. Bull. No. 46, pp. 77-87; Geol. Bull. No. 47, pp. 30-31; Geol. Map of 1956.
- <sup>9</sup> Jameson, ". . . De Laet," p. 43; Geol. Bull. No. 6, pp. 220-21; Geol. Map of 1956.
- <sup>10</sup> Jameson, ". . . De Laet," p. 43; Geol. Bull. No. 6, pp. 254-55.
- <sup>11</sup> *Ibid.*, pp. 224, 247-249.
- <sup>12</sup> Jameson, ". . . De Laet," p. 431; Geol. Bull. No. 46, pp. 64-77.
- <sup>13</sup> *Ibid.*
- <sup>14</sup> There is a wide difference of opinion as to the numbers of Indians in Connecticut at the time of the coming of the white man and as to the number of distinct tribes in the area. Benjamin Trumbull, writing late in the eighteenth century, estimated that the number of Indians in Connecticut at the time of its settlement by Europeans might possibly amount to twenty thousand. See his *A Complete History of Connecticut*, 2 vols. (New London, Conn., 1898.) Half a century later, John W. DeForest considers this an exaggeration and contends that an estimate of six or seven thousand would be liberal. See his *History of the Indians of Connecticut* (Hartford, 1852.) More recently, James Mooney, in 1928, estimated the population of the various tribes in 1600 as follows: Mohegan-Pequot, 2200; Wappinger of Connecticut, 1750; Western Nehantic, 600. The main center of operation of the Nipmunk was in Massachusetts and their total population was estimated as 500. Only eight or nine of their 29 villages were located in Connecticut. It seems, therefore, that there could not have been more than 150 in the state. There are no estimates of the Mahicans or the Eastern Nehantic in Connecticut, but it is known that they were inconsiderable. The population of the Indian was increasing slowly, if at all, in the years immediately previous to the coming of the English. (See DeForest, p. 68.) It would seem that the population of the Indians in Connecticut was very probably less than five thousand in 1630. (See John R. Swanton, "The Indian Tribes of North America,"



- Smithsonian Institute, Bureau of American Ethnology, Bulletin No. 145 (Washington, 1953), pp. 22-23, 28, 33, 41, 44-48.) (Hereafter bulletins of this bureau of the Smithsonian Institute will be cited as "Smithsonian Eth. Bull." with the appropriate number.) The problem of identifying the tribes is as great. DeForest (pp. 51-58) lists eleven or more tribes. It seems that there is no method of classification which is completely free of inconsistencies. The one used in this chapter is that suggested in the Smithsonian Eth. Bull. No. 145 in which the Indian is identified with the region with which he was most closely associated historically. For a popular account, with the origin of Indian place names, see Mathew Spies, "The Indians of Connecticut," Tercentenary Commission of the State of Connecticut, Committee on Historical Publications (New Haven, n.d.) (Hereafter publications of this commission will be cited as "Conn. Ter. Comm. Publ.")
- <sup>15</sup> James Truslow Adams, *The Founding of New England* (Boston, 1921), p. 16; Harold C. Bradshaw, "The Indians of Connecticut" (Deep River, Conn., [1935]), pp. 10-12; DeForest, *Indians of Connecticut*, p. 38; Roy Harvey Pearce, *The Savages of America* (Baltimore, 1953), pp. 3-8, 19-45; Frank G. Speck, "Native Tribes and Dialects of Connecticut," *Forty Third Annual Report of the Bureau of Ethnology, 1925-1926* (Washington, 1928), p. 212; Ruth Murray Underhill, *Red Man's America* (Chicago, 1953), p. 47; Clark Wissler, *The Indians of the United States* (New York, 1940), pp. 58-62.
  - <sup>16</sup> Bradshaw, "Indians of Connecticut," p. 14.
  - <sup>17</sup> Underhill, *Red Man's America*, p. 66; DeForest, *Indians of Connecticut*, p. 52; Pearce, *Savages of America*, pp. 3-8, 19-35.
  - <sup>18</sup> Bradshaw, "Indians of Connecticut," pp. 11-12; Wissler, *Indians of U. S.*, pp. 58-63; DeForest, *Indians of Connecticut*, pp. 25-26.
  - <sup>19</sup> Henry G. Ahlberg, *The American Guide* (New York, 1949), p. 24; DeForest, *Indians of Connecticut*, p. 49; Adams, *Founding of New England*, p. 17.
  - <sup>20</sup> Brodhead, *History of New York*, pp. 60-65.
  - <sup>21</sup> *Ibid.*, p. 97.
  - <sup>22</sup> Charles M. Andrews, *The Colonial Period of American History*, II (New Haven, c. 1936), pp. 70-71, incl. n. 4, p. 150; Brodhead, *Hist. of New York*, p. 153.
  - <sup>23</sup> Arthur L. Peale, *Uncas and the Mohegan-Pequot* (Boston, 1939), p. 21; Brodhead, *History of New York*, pp. 215-217, 234; Samuel Drake, *Indians of North America* (Boston, 1937), p. 49; Andrews, *Col. Period of Am. Hist.*, I (New Haven, Conn., c. 1936), p. 70.
  - <sup>24</sup> Max Savelle, *The Diplomatic History of the Canadian Boundary, 1749-1763* (New Haven, Conn., 1940), pp. vii-x.
  - <sup>25</sup> Brodhead, *History of New York*, pp. 138, 162, 207-17; *Bradford's History "Of Plimoth Plantation"* (printed from the original manuscript, under the direction of the Secretary of the Commonwealth by order of the General Court), (Boston, 1898), pp. 370-71.
  - <sup>26</sup> Andrews, *Col. Period of Am. Hist.*, II, pp. 68-69; James Kendall Hosmer, ed., *Winthrop's Journal, "History of New England, 1630-1649,"* 2 vols. in *Original Narratives of Early American History* (New York, c. 1908), I, p. 103.
  - <sup>27</sup> Andrews, *Col. Period of Am. Hist.*, I, pp. 69-70, 375-376; William Hubbard, *The History of New England* (Boston, 1878), pp. 169-170.
  - <sup>28</sup> George L. Clark, *A History of Connecticut* (New York, 1914), p. 11; Andrews, *Col. Period of Am. Hist.*, II, pp. 69-70.
  - <sup>29</sup> *Ibid.*, p. 71; *Bradford's History*, pp. 72-373.



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## Chapter II

### The Settlement of Connecticut

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THE IMPULSES for the effective settlement of Connecticut came in part from Old England and in part from the New. To escape the tyranny of a William Laud or of a John Winthrop, many men took their chances in the wilderness. The vast expanse of land was an irresistible lure to others on both sides of the Atlantic. With or without title to the land, small groups of Puritans came from England and Massachusetts to begin life anew in Connecticut. From 1635 to 1639, they traveled the wilderness roads, erected palisades, subdued the Indians, and laid the basis for a permanent settlement.

#### *Impulses for Settlement*

In the period before the settlement of Connecticut, the power of rule in colonial New England was centered in the indomitable spirit of John Winthrop. The inflexible will of this opinionated, impatient, and arbitrary leader frequently led to bitter protest from equally wilful men. Almost from the beginning, a center of discontent, and the one from which the main stream of the Connecticut migration was to come, was Newtown (Cambridge in Massachusetts). Its principal citizens were John Haynes, a "gentleman of estate," and Thomas Dudley, the founder of the settlement, both of whom were frequently at odds with Winthrop. The decision of Winthrop to make Boston, rather than Newtown, the capital of Massachusetts Bay was the first of a series of quarrels. Dudley and Winthrop were in the midst of such a dispute, over the question of whether the people of Newtown should assist in the building of a fort in Boston, when Thomas Hooker assumed the

Newtown pastorate, October 11, 1633, and almost immediately became involved in the public life of the community.<sup>1</sup>

Hooker had been born in the tiny hamlet of Marfield, England, on July 7, 1586.<sup>2</sup> He prepared at Market-Bosworth for Cambridge,



(Courtesy Conn. State Lib.)

MIDDLETOWN—TERCENTENARY LOG CABIN, 1935

where he remained ten years, until he was twenty-eight years of age. Emmanuel College, where Hooker pursued his advanced studies, was a center of Puritanism. His non-conformity caused Hooker to choose, as his first ministry, Esher in Surrey, where the beneficence of one Francis Drake enabled him to remain relatively free from the Bishop of London. Esher's nearness to London favored Hooker's recognition as a preacher, and, in 1626, he was invited to Chelmsford as Lecturer.

Hooker's lecturing in Chelmsford became repugnant to the Church



of England but popular with the populace. Chelmsford was only twenty miles from London and was the center of strong Puritan sympathies. These lectures were supplements to regular church services and were held on market-days and Sunday afternoons. They attempted to substitute "efficient preaching" for the utterances of the "dumb ministers" who confined themselves to the rites and services prescribed by the Church. Hooker sensed the feeling of the time and effectively substituted a direct application of the gospel to men's hearts and conscience for the usual discourse on doctrine. Hooker was regarded as the most effective and learned of the lecturers. As his followers continued to increase, it came to be believed that as long as he remained in the diocese his genius would haunt the pulpits of the country where any of his scholars were permitted to teach "what he hath brewed." The Bishop of London wanted to rid his diocese of "obnoxious blowers of the bellows of sedition" and Hooker became the special object of his attention. Hooker was forced to relinquish his lectureship and retire to Little Baddow, where he kept school until he was cited by the Court of High Commission. Rather than face almost certain punishment, Hooker fled, through the aid of the Earl of Warwick, to Holland.

Even in Holland, Hooker was not completely removed from the influence of the Church of England. Whether because of jealousy, as Cotton Mather charged, or because of Hooker's "willingness to accord fellowship" to those who wished to separate from the Church of England as Paget charged, Hooker failed to receive an appointment as an associate to the Reverend John Paget, of the British Presbyterian Church. Hooker left Amsterdam and found more congenial surroundings at Delft and Rotterdam. His plans went forward for coming to America, and sometime in 1633 he returned to England, where he remained cautiously out of the reach of church authorities until he sailed for America.

As soon as Hooker was established at Newtown, he and John Haynes were sent by Dudley on a mission to Winthrop to protest the requisition on Newtown for assistance in the building of a fort at Boston. Winthrop refused to retain the provocative note presented by the two emissaries and told them that the issue would be settled by the Court. Soon afterwards, Winthrop offered a fatted pig in testimony of



his good will. Dudley, Haynes, and Hooker accepted the Governor's good will, but desired "without offence, to refuse your offer" of the pig. In this way, the affair was, in the words of Winthrop, "very lovingly concluded."<sup>3</sup> Two days later, it was formally concluded when the Court ordered that Newtown should do the work requested. The resentment against Winthrop found no similar termination. Despite the plea of John Cotton that "a magistrate should not be turned into a private citizen without just cause," Winthrop was replaced as Governor in May, 1634, by Dudley.<sup>4</sup>

The day after Dudley's election, the General Court recognized the acute want of land for settlers at Newtown by giving them permission "to look out either for enlargement or removal."<sup>5</sup> Men were sent to appraise Agawam and Merrimack. Some of these observers boarded the *Blessing of the Bay* and sailed with it to New Amsterdam. Apparently these wished to observe the Connecticut River area with a view to the possibility of settling there.<sup>6</sup>

When it was revealed that the settlers wished to go beyond the limits of Massachusetts, a tempest arose in the September meeting of the General Court. In support of the request, the petitioners alleged the crowded conditions of Massachusetts, the "fruitfulness and commodiousness of Connecticut," and the "strong bent of their spirits to remove thither." The opponents countered by offering land within the limits of Massachusetts, pointing out the dangers in Connecticut from the Dutch and Indians, and threatening that, to protect the King's right to the land of Connecticut, Massachusetts would rise against any attempted settlement.<sup>7</sup>

In the General Court, which was composed of the Governor, Deputy Governor, Magistrates or Assistants, and deputies representing the several towns, a majority favored removal by a vote of fifteen to one. The solidarity of Massachusetts, however, was not to be broken by mere majority rule. The patent had provided that six Assistants and a Governor were required to be included in a lawful Court. In 1631, however, the Court had ordered that whenever the Governor and all of his assistants numbered less than nine, it should be lawful for a majority of these to hold a court even though the quorum should not be seven as the charter provided. Yet, when this majority vote was counter to his

opinion, Winthrop considered patent requirements binding and entered in his journal that "no vote was recorded [on the removal], because there were not six assistants in the vote, as the patent requires." The majority did not wish to yield to accord this power of negation to the Assistants, and the foundations of rule by the élite were challenged in the debate which followed. After "divers" days of discussion, a "day of humiliation" was set aside "to seek the Lord." The Court recessed for a week, and before it formally reconvened, John Cotton showed the members the error of their ways. The principle of the Negative Voice was upheld: removal to Connecticut was delayed.<sup>8</sup>

Those who voted against removal justified their position by the effect they thought such an event would have upon the Bay colony. Hooker was greatly respected as an eminent divine, and it was asserted that his departure would not only draw many from the colony at the time he left, but also would subsequently divert many others. It was urged that "they ought not to depart from us, being knit to us in one body, and bound by oath to seek the welfare of this commonwealth . . . [for] we were now weak and in danger to be assailed." It might be considered that there was some basis for the fear that the Massachusetts settlement would be left dangerously depleted, since the flood-tide of immigration to Massachusetts was not reached until a year later.<sup>9</sup>

By 1635, however, there were enough people that the land problem had become especially acute. The population of the colony had increased to 8,000, and it had become difficult for newcomers to find a place in which to locate. Boston ruled that land should not be granted to those who were not likely to become members of the Church and forbade landowners to sell their property to any such newcomers. Outlying towns continued to complain of their lack of space and were given permission to expand their premises, provided they remained within the boundaries of Massachusetts.<sup>10</sup> Satisfactory land for the enlargement of holdings was not found. Winthrop wrote that "the people and the cattle are so increased as the place will not suffice them."<sup>11</sup>

Meanwhile, information about Connecticut continued to increase. In sharp contrast to Massachusetts, land could be had in Connecticut without rent or sale. The Indian menace had been reduced, as John



Winthrop thought, by God's intervention. He wrote: "God's hand hath so pursued them, as for 300 miles space, the greatest parts of them are swept away by the small poxe. . . . God hathe hereby cleared our title to this place."<sup>12</sup> The few remaining Indians even sought to induce the English to come to Connecticut. The Indians pointed to the trade advantages in the Connecticut valley, and, in exchange for trade



*(Courtesy Mills Coll., Conn. State Lib.)*

NEW LONDON—HOME OF JOHN WINTHROP, BUILT OF STONE IN 1646.  
(A COPY.) WINTHROP SCHOOL NOW STANDS ON THIS SITE

and protection, it was reported, offered to surrender their rights to Connecticut.<sup>13</sup> The irresistible lure of this comparatively large amount of land was the magnet, perhaps, that attracted the majority of settlers to Connecticut.

Contrary to popular belief, the search for greater freedom of religion seems not to have been a powerful motive of those who came to Connecticut. It is true that English friends of the colony regarded it as "a great scandal" that in Massachusetts one minister preached against



another's doctrine. Winthrop, however, always minimized these differences. In July, 1635, he gave assurances that Hooker was going to Connecticut, but asserted that it was not because of any differences between him and Cotton, who, he added, "do hold a most sweet and brotherly communion together."<sup>14</sup> The close examination undertaken by Charles M. Andrews of the doctrinal dispute between Hooker and Cotton indicates that, if anything, Hooker was even less liberal in Church policy than was Cotton. Hooker was always on the side of orthodoxy in the religious disputes that then raged in Massachusetts.<sup>15</sup> During the defection of Anne Hutchinson in 1637, he returned to Massachusetts to give his counsel against her. He found the religious views of Roger Williams no more acceptable.<sup>16</sup> If measured by the ecclesiastical society which was established in Connecticut, there is little evidence that those who came wished to do any more, insofar as religion was concerned, than to strengthen the way of the Congregationalists.

Hooker's differences with John Winthrop, which were personal and political, were of more consequence as a motive for settling in Connecticut than were doctrinal questions. Hooker clashed with Winthrop's arbitrariness soon after arriving in Massachusetts when he served as the Newtown emissary in a court dispute. The use of the Negative Voice to block his removal to Connecticut in 1634 intensified Hooker's antagonism. He stepped aside silently and permitted John Cotton to deliver the sermon to the court on that occasion. It would seem that this should not be interpreted as an endorsement of the Negative Voice, however, for this vote must have loomed large in his memory when later, in commenting on the civil procedure of the Bay colony, he stated his belief that it led "directly to tyranny, and so, to confusion" and "if it was in my liberty, I should choose neither to live nor leave my posterity under such a government."<sup>17</sup>

It appears that Hooker may have been the symbol, rather than the cause, of the widespread opposition to Winthrop. Many, such as Haynes and Dudley, had voiced their opposition. Among the settlers of Massachusetts were men possessed of wealth, of intellect, of strong will, of great ambition, and of qualities of leadership. They combined their talents in the protection of orthodoxy, but quarreled among them-

selves over routine problems, such as taxes, forts, and constables. At times, at least, their attitudes on public problems seemed determined by personal, political ambition. Ludlow, as Deputy Governor, for example, voted against Hooker's removal to Connecticut. The next year, when he had been left out of the magistracy, he became the avowed leader of the Dorchester adventure in Connecticut.<sup>18</sup> These men, ambitious and eager for the opportunities of the frontier, used their wealth to finance a wilderness settlement, to create a domain of their own.

Whether because of the discontent in Massachusetts, the ambitions of the leaders, the opportunities in the new territory, the interplay of these factors, or for these and more reasons, the year 1635 is properly identified as the beginning of effective settlement in Connecticut. Conditions were favorable for settlement and there were those who were willing to take their chance in the wilderness.

### *Squatters in the Connecticut Valley*

The first settlers came to Connecticut without any claim to the land other than that which they could enforce by their own will. They were squatters who based their claims on actual possession. They came into conflict with one another as they vied for possession of the most desirable locations.

There arrived from England in the middle of June, 1635, an expedition organized and financed by Sir Richard Saltonstall and led by Francis Stiles. Stiles incurred a delay of ten days at Boston Harbor which proved very costly.<sup>19</sup> A group of residents in Dorchester, Massachusetts, heard of Stiles' arrival in Boston and immediately hurried overland to establish a prior claim to territory along the Connecticut River.<sup>20</sup> The Dorchester group found settlers from Plymouth in the Windsor area by whom they were well received and from whom they received help for the exploration of the lands thereabout. While the Dorchester settlers were reconnoitering up the river, the settlers from Plymouth were joined by the Stiles' group of twenty men who immediately set to work erecting houses.<sup>21</sup>

The people from Dorchester could not find any place so well adapted to their needs as the area already occupied by Plymouth set-

tlers. They returned and took possession of it, saying "God by his providence" cast them upon it. The Puritan could quote scripture to Pilgrim as well as to Indian, when seeking a rationale for land acquisition. "It was the Lord's waste" and altogether devoid of inhabitants who could use it "to the right ends for which the land was created." They concluded that, therefore, the land was free for themselves to own and improve. The Pilgrims replied: "Our mind is otherwise . . . and . . . you cast a partial, if not a covetous eye, upon that which is your neighbor's. . . . Look that you do not abuse God's providence."<sup>22</sup> The settlers from Plymouth launched a formal protest in August of that year, which was repeated many times in the two years that ensued before it was settled by the Puritans' agreeing to pay for that which they had already appropriated.<sup>23</sup>

The Dorchester Puritans used force to drive Stiles and his group of Puritans to the northern fringe of settlement, an area insufficient in meadow land. Saltonstall, the backer of the Stiles group, at various times enlisted the support of leaders in New England to assist him in laying out a tract of 1,600 acres between New Plymouth and the falls of the Connecticut and to secure payment for his losses which he estimated to be 1,000 to 1,500 pounds.<sup>24</sup> He protested vigorously, but in vain, and could but lament: "Had I but imagined they would have thus greedily snatched up all the best grounds upon the River, my pinnacle should rather have sought a pilate at New Plymouth than to have stayed ten days as she did in the Bay and to have given them such warneing thus to prevent me."<sup>25</sup>

The initial Dorchester pioneers were followed in October by another contingent of their group, fifty men, women, and children. These settled to the south of Windsor and were later referred to as the "north-siders" of Hartford. When an early winter endangered the colony, a group of seventy or more settlers battled their way to the mouth of the Connecticut, where they found a vessel and attempted unsuccessfully to send back aid to the Windsor settlement. Another small group met with harrowing experiences as they attempted to return to Massachusetts, and, for those who remained at Windsor, it was a tragic winter. Interest in moving to Connecticut continued, but opportunity for settlement without a semblance of legal sanction had passed.<sup>26</sup>



*Settlement under the Warwick Patent and March Commission*

The settlement of Connecticut now entered a new phase. The first settlers had come into Connecticut as squatters and based their rights to the land on the possession of the territory. Now an attempt was made to give legal form to the claim to the Connecticut territory. By an ingenious arrangement, the Warwick Patent was utilized in the formation of the March Commission, which provided the first rudimentary form of government for Connecticut.

A patent for land extending 120 miles west of the Narragansett River, including the whole of Connecticut, was granted by the Earl of Warwick in 1632 to a group of eleven gentlemen, who included the Lord Saye and Sele, Lord Brooke, and Sir Richard Saltonstall.<sup>27</sup> The Earl, who had demonstrated his friendship for colonizing efforts in the New World, was President of the New England Council, which, nominally at least, had the right to make grants of territory. A question may be raised, however, as to the validity of this document, although Connecticut later based her claim for a charter upon it. Warwick, as an individual, even though President of the Council, did not have undisputed right to make grants of land. He was relying upon his influence within the Council, rather than upon his authority, to assure the grant. The next year, 1633, the New England Council agreed to a rough draft of the patent, but there is no evidence that the Council ever issued an actual patent. In the absence of this formal confirmation, the grant remained without final validity. It is clear, nevertheless, that Warwick and others believed that they had sufficient authorization for settlement, and when conditions became particularly difficult for the Massachusetts Puritans in the winter of 1634-35, plans were made to lay claim to the territory delineated in the Warwick grant.<sup>28</sup>

It was decided that southern Connecticut should be the location of the projected Puritan colony. John Winthrop, Jr., who had gone to England in the fall of 1634 soon after his father had been deposed from the Governorship, and who was apparently disillusioned with Massachusetts and desirous of settling elsewhere, was commissioned leader of the expedition. He was ordered to provide at least fifty able men for erecting fortifications and houses at the mouth of the Connecticut River. He was granted 2,000 pounds which he took with him

when he sailed from England and was sent at least another 1,000 pounds at a later date. Leaders of the company impressed upon Winthrop the necessity of preempting the territory and emphasized the necessity of erecting fortifications immediately. In November, one month after Winthrop arrived in Massachusetts, a vessel with twenty men started off for the Connecticut River to take formal possession of the territory. They arrived on the 24th of November, and under the direction of Lion Gardiner, an English engineer, they built houses and a fort and constructed a palisade of whole trees set in the ground.<sup>29</sup>

This settlement sent to Saybrook by Winthrop raised the question of the title of those squatters who had already moved into the Connecticut area and of others who were planning to move there. Winthrop assumed that the Warwick patent had been officially granted and wished to know by what right others "have lately taken up their plantations" within the area of the patent and "what government they intended to live under, because the said country is out of the claim of the Massachusetts patent." He asked if they acknowledged the rights and claims of the grantees of the Warwick patent and if they would submit to his counsel and direction as Governor. If, instead, they intended to entrench upon the lands unjustly, he requested that they inform him what answer could be given to the patentees in England.<sup>30</sup>

The question of title, thus posed, was indeed difficult, for Massachusetts had already given official support to some of the settlements although the Massachusetts patent did not permit it to authorize settlements outside its limits.<sup>31</sup> An effort was made to solve the problem in a manner that would be mutually acceptable. Conferences on the subject of removal must have occurred between October 1635 and March 1636 among interested parties. These would have included Thomas Hooker, who was known to be planning to remove to Connecticut the following spring, and Roger Ludlow, who was back from the Dorchester settlement at Windsor. To speed the solution of the difficulty, Winthrop suggested that the meetings be held in secrecy. Apparently an effort was made to contact Lord Saye and Sele, but no reply had been received when agreement was reached on March 3, 1636.<sup>32</sup>

Under this agreement, reached under the nominal arbitration of the Massachusetts General Court, those in Connecticut and those wish-



ing to go there recognized Winthrop as Governor and the validity of the Warwick deed to the whole territory. Winthrop, on the other hand, recognized the right of the Hooker group to settle within the limits of



*(Courtesy Conn. State Lib.)*

WETHERSFELD—GREAT ELM, PLANTED IN 1758  
LARGEST TREE IN CONNECTICUT, NOW GONE

the grant, although his instructions did not give him the authority to permit the establishment of such independent settlements. An important part of this agreement, too, was the creation of a rudimentary form of government, afterwards known as the March Commission. It was provided that a commission of eight men (two from each of the settlements of Windsor, Wethersfield, Hartford, and Springfield) would



be the governing body for Connecticut for the first year. These commissioners were empowered to perform all the ordinary functions of government such as policing, defense, judication, regulation of commerce, and assembling of inhabitants for the purpose of executing their instructions.<sup>33</sup>

As a legal contract, the March Commission may be open to question. It had the strength, however, that is derived from the consent of those governed, for it seems in fact to have emanated from among the settlers themselves. Later, during a dispute over the jurisdiction of the two colonies, when Massachusetts claimed that Connecticut had been settled in her name since the March Commission had been prepared under the auspices of her General Court, the Connecticut delegates insisted stoutly that the March Commission had originated with the immigrants. A comparison of the March Commission provisions with the Massachusetts codification, then being made by John Cotton, indicates such dissimilarity that it seems unlikely that the Massachusetts Court could have produced the March Commission. The similarity of the March Commission provisions to the later Fundamental Orders of Connecticut, however, would support the idea that they did emanate from the same source. Roger Ludlow is credited with the authorship of both documents, in conformity to the ideas and purposes of Hooker and others.<sup>34</sup>

It had been agreed that Hooker and a group of Newtown residents could remove to Connecticut, but the departure of Hooker, himself, had to be delayed until someone was found who was sufficiently instructed in the ecclesiastical policy of Massachusetts to assume Hooker's duties as Pastor at Newtown. At least two contingents of the Hooker group of settlers preceded him to Connecticut: a group in 1635 under the leadership of William Goodwin, and another group in the spring of 1636.<sup>35</sup> Before Hooker's arrival, then, negotiations had been begun with the Indians, a constable had been appointed, and rules had been drawn for the control of the livestock.<sup>36</sup> After instruction, the Reverend Thomas Shepard, who had been a fellow passenger of John Winthrop, Jr.'s, on his return voyage from England, assumed the pastoral responsibilities of Newtown. Shepard and his followers bargained for the houses of those who had already gone to Connecticut and of those who

were planning to go. Arrangements were made, too, for the water transportation of the household goods of the group. On May 31, 1636, Hooker and a group of thirty-five men, with women and children, and sufficient cattle to stake a new colony, departed for Connecticut, following the "Old Bay Path" marked by the earlier settlers.<sup>37</sup>

The River plantations, as the settlements on the Connecticut were called, were typical frontier communities. In them, the greatest effort was given to securing the necessary subsistence for survival. Attempts were made to maintain amicable relations with the Indians, necessary defenses were organized, constables were appointed, a form of a jury was established, and, of course, efforts were made to protect the morals of the residents. The boundaries of the settlements were surveyed and the names of the towns changed. Dorchester became Windsor, Pyquag became Wethersfield, and Newtown became Hartford. The towns assumed a more permanent status with the creation of a General Court.<sup>38</sup>

The General Court was formed when difficulties arose with the Pequot Indians and it seemed that war was approaching. It was believed that the towns should assume responsibility for the conduct of the war. The inhabitants of each of the three towns were asked, therefore, to come together for the purpose of electing representatives who were to sit with the magistrates as a General Court at Hartford on the first day of May.<sup>39</sup> The immediate business of the court was the prosecution of the Pequot War.<sup>40</sup>

### *The Pequot War*

The Pequots invaded Connecticut, it is thought, some time in the sixteenth century. Although the traditional view is that they came from the Hudson River Valley, this is by no means certain. Linguistically they are more closely identified with the Indians of Massachusetts. As the Pequots invaded the Connecticut Valley, they drove all before them, separating the Nehantics and establishing themselves on Long Island Sound. In return for trade and for assistance against the Narragansett Indians, the Pequots had, on at least two occasions, invited the English to share their territory. On the eve of their war against the English, they claimed authority over all of Connecticut east of the river and of the

coast as far west as New Haven. Their chief, Sassacus, commanded about five hundred warriors and controlled twenty-six subordinate tribes.<sup>41</sup>

The English had, at first, recognized the Indians' rights to the land based on the law of nature and had purchased title to it. After the Indians had murdered Englishmen, however, it was felt that they had sacrificed their natural rights. The land was then free, it was believed, for settlement according to the Lord's will by those who used it more productively.<sup>42</sup> The Puritans in Massachusetts determined that the Pequots and all other Indians should submit to the will of the white man. They organized an expedition to establish their supremacy and that of English law in a territory outside the boundaries of Massachusetts, although from the beginning Lion Gardiner at Saybrook opposed the war and insisted that it had been unnecessarily provoked.<sup>43</sup>

Ostensibly, the Puritans organized their expedition to avenge the murders of John Oldham and John Stone. Yet neither of these was greatly respected in Massachusetts. Shortly before his death, Stone had been ordered by the Massachusetts Court "upon pain of death to come here no more, without the license of the court."<sup>44</sup> Oldham, upon whom religious convictions rested lightly, was a member of the Church of England and "soe affected to his owne opinion as not to be removed from it neither by reason nor any persuasion." Although he later made his peace with the colony, it is clear that he was not a favorite of Massachusetts.<sup>45</sup> Yet, on July 20, 1636, under the leadership of John Endecott, four groups of twenty men each, under the separate commands of John Underhill, Nathaniel Turner, Ensign William Jaysen, and Ensign Davenport, were dispatched to avenge Oldham's and Stone's murders.<sup>46</sup>

Endecott demanded that the Indians immediately deliver the murderers and 1,000 fathoms of wampum, or, in lieu of the indemnity, twenty children as hostages. The Indians refused to meet these demands. In reprisal, the Endecott mission was able merely to destroy some Indian wigwams, canoes, and corn.<sup>47</sup> Then, without murderers or indemnity, the Endecott forces returned to Massachusetts, as Gardiner had foretold, leaving the wasps they had raised about his ears.<sup>48</sup>

The anger of the Pequots had been aroused. They attempted to bring other Indians into alliance with them, arguing "that the English were minded to destroy all Indians."<sup>49</sup> At the urgent request of Mas-



sachusetts, Roger Williams used his long friendship with the Narragansetts to thwart Pequot negotiations with them. Thereby, he saved his own settlement, and, even, the whole of lower New England.<sup>50</sup> Diplomatic failure, however, did not deter the Pequots from independent acts of hostility. During the winter they killed three of Gardiner's men and captured another, whom they roasted alive. In a raid on Wethersfield, the Pequots killed three women and six men and took two maids captive. Although the captives were rescued, at Gardiner's pleas, by a Dutch captain, the threat of Indian fury had become a reality in Connecticut.<sup>51</sup>

The Connecticut General Court, on May 1, 1637, declared "that there shall be an offensive war agt the Pequoitt." A force of ninety men, with necessary provisions and material, was levied from Hartford, Windsor, and Wethersfield.<sup>52</sup> The services of Uncas, a Mohegan chief, and a former Pequot who had desired to be head of the Pequots, were accepted.<sup>53</sup> The force proceeded to Saybrook, where it was joined by John Underhill and nineteen or twenty men from Massachusetts. Mason decided to approach the Pequot country through Narragansett territory rather than by the Pequot River, as ordered by the General Court. Even those who opposed this decision at the time it was made, judged in retrospect that it was this strategy which had lured the Pequots into a feeling of false security that enabled their surprise and defeat. When permission was secured to cross Narragansett territory, the party left immediately, too fearful of delay to await a force of forty men which had been sent from Massachusetts under Captain Daniel Patrick. A two day march brought the force within sound of the Pequot fort at Mystic.<sup>54</sup>

Mason and Underhill divided their forces, and, at daybreak, crept toward the fort. The troops entered separate gates and attacked the Indians who were still groggy from sleep. The battle had raged for an hour, when Mason decided that, since he could not subdue the Pequot quickly, the fort must be fired. "Great and doleful was the bloody sight . . ., to see so many souls lie gasping on the ground, so thick, in some places, that you could hardly pass along." It was asked: "Should not Christians have more mercy and compassion?"<sup>55</sup> And it was answered: "Thus did the Lord judge among the heathen."<sup>56</sup> Those who

judged the matter thus considered their judgment reinforced when a successful rear guard action against 300 Pequots who came from a nearby fort allowed Mason and his men to reach the boats which had been brought to the Pequot harbor by Captain Patrick.<sup>57</sup> "It was the Lord's doings," it was said, "and it is marvelous in our eyes!"<sup>58</sup>

It was considered necessary that the Pequots be completely annihilated, and the remnants fleeing to the West were stalked by the English. For pursuit, Connecticut outfitted forty men under Mason to join the 120 furnished by Massachusetts under Israel Stoughton. The Pequots were trailed to the great swamp at Fairfield.<sup>59</sup> Various plans were advanced for bringing the Indians to their knees. Thomas Stanton, who was familiar with the Indians, went among them and persuaded 200 non-combatants to surrender. During the night, the others were surrounded. Although some 60 or 70 managed to break through, there remained 180 captives, who were distributed among the Mohegans, Narragansetts, and Niantics. "Thus did the Lord scatter his enemies with his strong Arm."<sup>60</sup>

The Pequot War was the first of the white man's organized efforts to rid the country of heathen. The pattern of conquest during the next 250 years varied only in detail. The pleading of the humanitarians, such as Roger Williams, was lost amidst the fear of the majority for their security. Group after group of defeated Indians were sold into slavery or distributed among other Indian tribes. Individuals from such groups who escaped capture were hunted down by whites and by other Indians. The wigwam was replaced by the framed house. A primitive people gave way to that which Christian standards judged an advanced civilization.

The consequences of the war were not limited to the sphere of the settlers' relations with the Indians but were also evidenced in the economic sphere. "Although in strictness there was but three weekes and 3 dayes" due the soldiers, the General Court granted a full month's pay and later granted land for service in the war. Connecticut was heavily in debt, and a levy of six hundred and twenty pounds was ordered. A treasurer was appointed and collectors named for each of the towns. The war was followed by unusually high prices and a shortage of food. In the winter following the war, special measures were taken to supply



the necessary corn. William Pynchon of Springfield was named the special agent of the colony in this matter. Connecticut felt his efforts afforded too little general relief and too much personal profit, and this



*(Courtesy Mills Coll., Conn. State Lib.)*

NEW LONDON—WINTHROP'S MILL, BUILT IN 1650  
THE WINTHROP SCHOOL AT RIGHT, 1935

incident widened the rift between Springfield and other settlements along the Connecticut River.<sup>61</sup>

The political overtones of the Pequot War had but underscored the basic detachment of Springfield from the other new settlements. Although it was one of the original river settlements and its resident, Pynchon, one of the original eight commissioners of Connecticut, there was never a close relation between Springfield and the other towns. Springfield was on the frontier of settlement and became increasingly



independent. Its representative to the Connecticut General Court, Pynchon, attended only once. The intensification of differences between Pynchon and Hooker reflected the settlements' differences which stemmed from distance and from the rivalry between an agricultural economy and one based on fur trading. Springfield had not been asked to contribute troops for the prosecution of the Pequot War, although she was assessed 86 pounds and 15 shillings as her portion of indebtedness. By 1639, the people of Springfield were inclined toward Massachusetts. When she was not included in the Connecticut Commonwealth as organized under the Fundamental Orders in January, 1639, Springfield was recognized as an independent state by the Massachusetts General Court. When the New England Confederation was formed in 1643, Springfield chose to come in as an adjunct to Massachusetts.<sup>62</sup>

### *The New Haven Colony*

The actuality of Indian hostility did not arrest migration to the Connecticut area. While the Pequot War was in progress, there arrived in Boston Harbor a contingent of orthodox Puritans who became the settlers of New Haven. They came from Saint Stephen's Parish, Coleman Street, London. As occupants of the better houses that lined Coleman Street, they had been a closely knit community: those not related by blood or marriage were connected by business association. They illustrated the close union which prevailed between Puritanism and capitalism. They were interested in the flourishing livery companies and the enterprising trading companies of the time. The men who led them to New Haven, Theophilus Eaton and John Davenport,<sup>63</sup> shared this commercial interest. Eaton was a member of the Eastland Company, and Davenport was interested in the Virginia Company, although it is not certain that he was actually a member of it. Both of these had contributed funds for securing the charter for the Massachusetts Bay Company, and Davenport had been active in its affairs until it left England. It is not surprising that, from the beginning, the New Haven settlers showed little interest in agriculture but were intent on establishing a commercial colony.

The members of the group were strong Puritans, who had backed their non-conformity with their purses. The Bishop of London could

appoint a Vicar of his choice to Saint Stephens at an annual salary of eleven pounds. To a Vicar of their choice, however, the congregation would grant, in addition, a gratuity of 39 pounds. In 1626 a self-perpetuating group of twelve or thirteen individuals had sought to acquire titles to ecclesiastical properties throughout England and Wales and to manipulate stipends to encourage ministers who had their favor and to eliminate those of whom they disapproved. The individuals in this group sought by this stratagem to alter the Church of England to suit their views. John Davenport had been a member of this group and was greatly relieved in 1633 when Charles I decided not to proceed against the members as individuals. Now Davenport decided that reformation of the Church of England was impossible and that he was no longer in agreement with the church discipline.

Until this time Davenport had not been ready to sacrifice the advantage of sufferance by the Church. He had accepted the assistance of friends at court to have his conformity certified so that he would not lose his appointment to Saint Stephen's parish. He had replied acceptably when called before the Court of High Commission for advocating a collection for the exiled Protestants of the Palatinate. On occasions he had defended conformity in disputations. Now, however, he felt sure that the new Archbishop, William Laud, would punish him to the utmost for his part in the attempt to secure reform by controlling appointments, and, as soon as he could place the affairs of his parish in order, he left for Holland in November, 1633.

Davenport's experiences in Holland somewhat paralleled those of Thomas Hooker, who, with John Cotton, had been partially responsible for Davenport's conversion to non-conformity. The irascible and aged John Paget, who had earlier prevented the installation of Thomas Hooker as his co-Pastor, became ill. Davenport had assumed pastoral duties during Paget's illness but failed to secure a permanent position. The non-conformists of Amsterdam were then under the careful surveillance of agents of the Church of England and Paget lent willing ears to the reports of Davenport's unorthodoxy. Despite this opposition, the elders of the Church offered Davenport the position of co-Pastor, which he refused, and then they sought to secure his services as Lecturer or Assistant Pastor, which Paget prevented. Davenport found employment

at Rotterdam, where Hugh Peter was teaching the tenets of Congregationalism. Davenport's writings irritated the English Church in Amsterdam, and, in 1636, he was ordered to appear before Sir William Boswell, the English Resident there. To avoid the summons, he disguised himself as a country gentleman, returned to England, and, with Eaton, organized a company to begin a settlement in the New World.

Because the Davenport group had many friends in Massachusetts, it seemed the logical place for their settlement. This had been their intention when they left England, but they were not pleased with conditions which they found in Massachusetts. The antinomian controversy, then rife in Massachusetts, was disturbing; and, despite the offers of various towns, there was no land available on a harbor where they could engage in commerce. They knew, too, that the crown was threatening to take over the Massachusetts charter. They heard favorable reports of the land around the Quinnipiac River, knew of the Saybrook settlement nearby, and were aware that the area was within that of the Warwick deed. On the last day of August, 1637, Eaton and several others started out to see this earthly paradise. According to tradition, they were so favorably impressed with the territory that several of their number remained at the site to secure their claim while Eaton returned to Boston, where he and Davenport attracted many new members to their group.

The company which entered the harbor of the Quinnipiac early in April, 1638, was without a clear title to the land: a condition which led eventually to the absorption of the colony by Connecticut. The group knew that the land was within the Warwick patent and apparently depended upon their friendship with the grantees to assure title if the question arose. At Davenport's request, they did begin negotiations for the purchase of the lands from the Indians, "which may pretend title thereunto." It seemed to be the practice of New Haven and of surrounding towns to make multiple purchases of the same piece of land when there were conflicting Indian claims in order to secure a clear title. In exchange for assorted cutlery, clothing, and tools, large areas of land were secured. The Indians retained planting land on the river and the right to hunt, to fish, and to kill beaver. Squatters on the land generally renounced their claims and joined the established settlement.



At its farthest limits, New Haven extended from the Hammonasset River to the western boundary of Milford and from the eastern boundary of Stamford to the western boundary of Greenwich.<sup>64</sup> Title to this whole area was based primarily on Indian purchases which probably would not have stood close examination by an English court.<sup>65</sup> The fate of the New Haven colony was determined finally, however, not by its independent expansion but by the more effective settlement and the more effective negotiations of the colony on the Connecticut River.

## NOTES—CHAPTER II

- <sup>1</sup> Andrews, *Col. Period of Am. Hist.*, I, p. 444; II, p. 34; Hosmer, ed., *Winthrop's Journal*, III, pp. 84-88; William De Loss Love, *The Colonial History of Hartford* (Hartford, Conn., 1914), pp. 2-7.
- <sup>2</sup> George Leon Walker has written the only worthwhile biography of Thomas Hooker, and the subsequent discussion is based primarily on this work. See Walker's *Thomas Hooker* (New York, 1891), pp. 1-44.
- <sup>3</sup> Hosmer, ed., *Winthrop's Journal*, I, p. 114.
- <sup>4</sup> *Ibid.*, p. 125.
- <sup>5</sup> *Ibid.*, p. 124.
- <sup>6</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 74.
- <sup>7</sup> Hosmer, ed., *Winthrop's Journal*, I, pp. 132-34.
- <sup>8</sup> *Ibid.*; Andrews, *Col. Period of Am. Hist.*, I, pp. 438-39.
- <sup>9</sup> Hosmer, ed., *Winthrop's Journal*, I, p. 133.
- <sup>10</sup> Andrews, *Col. Period of Am. Hist.*, I, pp. 495, 510-11.
- <sup>11</sup> Allan Bailey Forbes, ed., *Winthrop Papers* (Boston, 1929-1944) (Massachusetts Historical Society), III, p. 200.
- <sup>12</sup> *Ibid.*, pp. 171-172.
- <sup>13</sup> Hosmer, ed., *Winthrop's Journal*, I, p. 130.
- <sup>14</sup> Forbes, ed., *Winthrop Papers*, III, p. 111.
- <sup>15</sup> Andrews, *Col. Period of Am. Hist.*, II, pp. 84-86; Charles M. Andrews, "Some Early Aspects of Connecticut," *New England Quarterly*, XVII, March 1944, pp. 8-9.
- <sup>16</sup> *Ibid.*, p. 82.
- <sup>17</sup> *Ibid.*, p. 88.
- <sup>18</sup> Hosmer, ed., *Winthrop's Journal*, I, p. 133; Henry R. Stiles, *The History of Ancient Windsor* (New York, 1859), pp. 18-20.
- <sup>19</sup> *Ibid.*
- <sup>20</sup> Hosmer, ed., *Winthrop's Journal*, I, p. 163.
- <sup>21</sup> Andrews, *Col. Period of Am. Hist.*, II, pp. 72-73.
- <sup>22</sup> *Ibid.*; Stiles, *History of Ancient Windsor*, pp. 17-25.
- <sup>23</sup> Forbes, ed., *Winthrop Papers*, III, pp. 220-30.
- <sup>24</sup> Arthur Percival Newton, *The Colonizing Activities of the English Puritans* (New Haven, 1914), pp. 83-84, 174-77; Forbes, ed., *Winthrop Papers*, III, pp. 217-18, 243, 377-86.
- <sup>25</sup> *Ibid.*, p. 230.
- <sup>26</sup> Stiles, *History of Ancient Windsor*, p. 25; *Winthrop's Journal*, I, p. 163; Andrews, *Col. Period of Am. Hist.*, II, p. 75.

- <sup>27</sup> R. V. Coleman, in a short essay which deserves attention, has raised significant questions relative to the Warwick Patent, upon which Connecticut based her territorial claims. Mr. Coleman holds that there is no positive evidence that Lord Saye and Sele and Lord Brooks knew before 1635 that they had a grant to a large area of land. Coleman contends that valid claims to the land were derived when the Council of New England distributed the lands of New England to its members just prior to concluding the official affairs of the Council. It is suggested that the settlers recognized this and chose to settle on the west side of the river in the area given by the Council to the Earl of Carlisle, who was expected to adopt a friendly attitude toward settlers. Coleman supports this by pointing out that the limits of Saybrook conformed to the limits of Carlisle's grant. It is conjectured further that this awareness of tenuous and conflicting claims may explain the lack of identification of the "persons of quality" mentioned in connection with Connecticut land titles in Winthrop's letter to the Massachusetts Court. It does seem, as Coleman states, that the English recognized their doctrine of effective occupation when practiced by English settlers against other Englishmen. See Coleman's *The Old Patent of Connecticut* (Westport, 1936).
- <sup>28</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 75-77; Newton, *Colonizing Activities*, pp. 80-84, 170-75.
- <sup>29</sup> *Ibid.*, pp. 178-80; Forbes, ed., *Winthrop Papers*, II, pp. 198-99, 212-13.
- <sup>30</sup> James Savage, ed., "Winthrop's Journal" in *Records of the Colony of Massachusetts*, Nathaniel B. Shurtleft, ed., I (Boston, 1853), pp. 119, 148, 159. (Hereafter cited as *Mass. Col. Rec.*)
- <sup>31</sup> Hosmer, ed., *Winthrop's Journal*, I, pp. 477-78.
- <sup>32</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 77.
- <sup>33</sup> Shurtleft, ed., *Mass. Col. Rec.*, I, pp. 170-75; Andrews, *Col. Period of Am. Hist.*, II, pp. 78-79.
- <sup>34</sup> *Ibid.*, pp. 79-82.
- <sup>35</sup> *Ibid.*; Love, *Colonial History of Hartford*, pp. 10-16.
- <sup>36</sup> *The Public Records of the Colony of Connecticut* (Hartford, 1850-1890), I, pp. 1-3. (Hereafter cited as *Conn. Col. Rec.*)
- <sup>37</sup> Love, *Colonial History of Hartford*, pp. 30-46; Florence S. Marcy Crofut, *Guide to the History and the Historic Sites of Connecticut* (New Haven, 1937), I, pp. 5-11.
- <sup>38</sup> *Conn. Col. Rec.*, I, pp. 3-9; Love, *Colonial History of Hartford*, p. 40; Andrews, *Col. Period of Am. Hist.*, II, p. 92.
- <sup>39</sup> Professor Andrews implied that a General Court met prior to the first of May, 1637, when he referred to a General Court meeting of February 9, 1637. (See Andrews, *Col. Period of Am. Hist.*, II, p. 94, n. 2.) The date 1637, ascribed to the document in the printed record (see *Conn. Col. Rec.*, I, p. 12) is obviously an error in view of the statement in the report that "it is ordered there shal be forthwith a levey of sixe hundred and twenty poundes to be levied for to defray the charges of the late designes of warr that is already past." If the war had ended, the meeting must have been held in 1638.
- <sup>40</sup> Andrews, *Col. Period of Conn. Hist.*, II, p. 92; *Conn. Col. Rec.*, I, pp. 9-10. There has been a difference of opinion as to whether these Committees, as the representatives were called, were named by the Court or whether they were selected by the towns. Andrews is of the opinion that they were "selected" by the towns (II, p. 92); Donald Lines Jacobus agrees (see his "Connecticut's Colonial System," *Connecticut Bar Journal*, Oct., 1937, pp. 359-65); E. F. Humphrey and Roger Wells hold that the Committees were named by the General Court (See Humphrey, "Connecticut's Colonial System," *Connecticut Bar Journal*, Oct., 1936, pp. 239-247).

- <sup>41</sup> Smithsonian Eth. Bull. No. 43, pp. 213-14; Smithsonian Eth. Bull. No. 145, pp. 44; DeForest, *Indians of Connecticut*, pp. 59-62.
- <sup>42</sup> Pearce, *Savages of America*, pp. 1-35. The attitude of the Puritan toward the Indian is elaborated in this source. Also, see above, ch. I.
- <sup>43</sup> Samuel Hugh Brockunier, *The Irrepressible Democrat, Roger Williams* (New York, 1940), p. 92.
- <sup>44</sup> Hosmer, ed., *Winthrop's Journal*, I, pp. 108, 118.
- <sup>45</sup> Andrews, *Col. Period of Am. Hist.*, I, p. 375.
- <sup>46</sup> John Underhill, "History of the Pequot War," *Collections of the Massachusetts Historical Society* (Boston, 1837), series 3, VI, p. 6.
- <sup>47</sup> Hosmer, ed., *Winthrop's Journal*, I, pp. 229-36; DeForest, *Indians of Connecticut*, pp. 91, 98.
- <sup>48</sup> Hosmer, ed., *Winthrop's Journal*, I, p. 234.
- <sup>49</sup> Brockunier, *Roger Williams*, p. 95.
- <sup>50</sup> Brockunier, *Roger Williams*, pp. 95-97.
- <sup>51</sup> Lion Gardiner, "Relation of the Pequot Warres," *Collections*, Mass. Hist. Soc. (Cambridge, Mass., 1833), ser. 3, III, pp. 143-47.
- <sup>52</sup> *Conn. Col. Rec.*, I, pp. 9-10.
- <sup>53</sup> Gardiner, "Pequot Warres," p. 149; John Mason, "A Brief History of the Pequot War," *Collections*, Mass. Hist. Soc. (Boston, 1826), ser. 2, VIII, p. 128.
- <sup>54</sup> Mason, "Pequot War," pp. 133-36; Underhill, "Pequot War," p. 23.
- <sup>55</sup> *Ibid.*, p. 25.
- <sup>56</sup> Mason, "Pequot War," p. 141.
- <sup>57</sup> *Ibid.*, pp. 141-42.
- <sup>58</sup> *Ibid.*, p. 144.
- <sup>59</sup> *Conn. Col. Rec.*, I, pp. 10-11.
- <sup>60</sup> Benjamin Trumbull, *History of Connecticut* (New London, [Reprint] 1898), I, p. 60; Mason, "Pequot War," p. 148.
- <sup>61</sup> *Conn. Col. Rec.*, I, pp. 11-20; Howard Bradstreet, "The Story of the Pequot War, Retold," *Conn. Ter. Comm. Publ.*, pp. 28-30.
- <sup>62</sup> Isabel Calder, *The New Haven Colony* (New Haven, Conn., 1934), p. 111; E. H. Byington, "William Pynchon, the Founder of Springfield," *Papers and Proceedings of the Connecticut Valley Historical Society*, II (Springfield, Mass., 1904), pp. 25-26.
- <sup>63</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 177; Isabel Calder has done the basic research on the New Haven colony, and it is on her *The New Haven Colony*, previously cited, that the following summary is based; see also, Isabel Calder, ed., *Letters of John Davenport: Puritan Divine* (New Haven, Conn., 1937), which includes a short biographical sketch of Davenport.
- <sup>64</sup> Henry Whitfield founded Guilford in September, 1639; Peter Prudden, Milford in February, 1640; and Nathaniel Turner, Stamford in July, 1640. Robert Feake and Daniel Patrick founded Greenwich in July, 1640, but two years later Patrick submitted to the jurisdiction of New Netherlands. The controversy that followed became entangled with the general conflict of the English and the Dutch. Greenwich became a part of the town of Stamford on October 6, 1656.
- <sup>65</sup> Calder, *New Haven Colony*, pp. 53-56.



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## Chapter III

### The Basis of Government

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A NATURAL OUTGROWTH of experience was an attempt to arrange the affairs within Connecticut in such a way as to maintain the “peace and union” of its people and to preserve “the liberty and purity of the gospell.”<sup>1</sup> There was recognition, too, of the need for the colonies of Connecticut, New Haven, Plymouth, and Massachusetts to form a “perpetual league of friendship” “for their mutual safety and welfare.”<sup>2</sup> Attempts to form such a confederation had been interrupted by the Pequot War, which had emphasized the need of such a union, but, also, had raised issues which delayed effectuation until 1643. By then, New Haven had established a framework of government; and Connecticut, whose rudimentary government under the March Commission had been somewhat refined by the General Court of 1637, had formed a fundamental law and had laid the basis for town government.

#### *The Fundamental Orders*

Thomas Hooker and his group came to Connecticut for economic opportunity and political relief rather than for religious freedom.<sup>3</sup> Yet, it seems the fundamental problem of life for them, as for other Puritans, remained the salvation of one’s soul, in the belief that only from this could stem the proper church and state arrangements. Polity and politics, then, were considered consequences of personal salvation rather than primary issues.<sup>4</sup> The intent to maintain “the liberty and purity of the gospell” was a stratagem by which to secure the arrangements considered desirable.

Connecticut, therefore, adhered with fierce consistency to Puritan

theology, which differed from Calvin's essentially because the Puritan's God was limited to the terms of his presumed covenants with individuals and groups, and, so, was to this extent less arbitrary than Calvin's God.<sup>5</sup> The conception of a covenant, as expounded by the English writers John Preston, Richard Sibbes, and William Ames and by the Americans Thomas Shepard, Peter Bulkeley, and Samuel Willard, was accepted as basic to organization of relationships among men.<sup>6</sup> The Covenant of Grace was considered a legal compact, a personal one, between the individual and God. This internal pledge made possible a similar legal compact between God and a group of the covenanted saints, as a unit. This was a distinct compact for it was external and public, although enabled by the previous private one. If these few saints strictly performed the terms of the covenant, God, because of His agreement, would bless the whole country in which the covenanted few lived. They thus became a "saving remnant" organized to obtain prosperity for all in the federal or covenanted state; and this, the Puritan definition of "charity," was the justification for government under the national covenant and a means by which to secure particular economic and political ends.<sup>7</sup>

The early settlers in Connecticut accepted this federal theory, yet they intended to improve over the Massachusetts "modell" as they built their own City of God, for politically the group had wanted relief from magistrates.<sup>8</sup> When Thomas Hooker outlined his concept of authority, as a base for a state, in a sermon delivered, perhaps, to the General Court on May 31, 1638, he observed that "the foundation of authority is laid in the free consent of the people," and asserted that "the choice of public magistrates belongs unto the people."<sup>9</sup> It is not surprising to find Hooker articulating this concept, since he had been dissident in both England and Massachusetts. Calvin had not championed popular rights and had insisted on passive obedience as a general duty. Calvinists had not departed from this when they constituted a strong enough majority to establish a theocracy. However, whenever they constituted a discontented minority seeking a changed political situation, they discarded Calvin's tenet and, instead, defended an obligation to resist authority, using popular rights as a justification.<sup>10</sup> Consent of the people had been used as a referent for the concept of authority in the



Middle Ages and had been coupled with the right of resistance in Reformation political theory.<sup>11</sup>

Hooker's concept of consent had points of contact with social contract theory in that it prescribed the right of the governed to determine



*(Courtesy Mills Coll., Conn. State Lib.)*

WOODBURY-GLEBE HOUSE

among themselves the conditions and purposes of political association. Of "those who have the power to appoint officers and magistrates," Hooker declared, "it is in their power, also, to set the bounds and limitations of the power and place unto which they call them."<sup>12</sup> This was a departure from Massachusetts theory which was expressed by John Cotton's contention that magistrates had no popular responsibility because their offices and functions were divinely inspired. This Massachusetts theory was explicitly undemocratic; in practice, however, popular responsibility soon came to be exacted in Massachusetts through elec-



tions.<sup>13</sup> The implications of Hooker's theory, in contrast, were democratic, yet, as his ideas were supposedly implemented in the Fundamental Orders and in practice, there was little popular control in Connecticut.

The Fundamental Orders, as they were adopted January 14, 1639, consisted of a preamble and eleven fundamental laws. These conformed to a large extent to provisions and practices already in effect in other colonies or in Connecticut. The provision of the Orders, for example, that "all that are admitted freemen" may vote for the magistrates (Article 1) was a requirement in all Puritan colonies, and in England, at that time, was a prerequisite for those in the wards who were allowed to vote for aldermen and members of the common council. Again, the provision that each local unit would have representation in a common council was characteristic of London and Massachusetts.<sup>14</sup> Trial by jury and central jurisdiction over estates had been inaugurated in Connecticut as early as 1637.<sup>15</sup> The Fundamental Orders differed from the arrangements of other colonies by being the work of three settlements rather than of one, by having a more orderly arrangement, and by being presented in the simple legal language of Roger Ludlow.

The preamble was a civil covenant with a strong religious basis. The general purpose of government was acknowledged to be the disposition of the affairs of the people at all seasons of the year. Although the confederation and combination was entered into to maintain the church teachings and disciplines then practised, this, it would seem, was considered separate from civil affairs which were introduced by the phrase "As also in our Ciuell Affaires." Such government was, however, established "according to God," whose plan had placed the people together and whose word demanded an orderly and decent government for their peace and union. It would seem, also, that a conscious effort was made to form a contract which would bind all the settlers rather than merely those who were permitted to participate actively in its initial acceptance and subsequent development. This is evidenced not merely by the phrase "for our selues and our Successors and such as shall be adioyned to vs att any tyme hereafter," but also by the coupling of "inhabitants" and "residents" in the preamble. This can hardly be considered redundant in view of the precise meaning given to the term

“inhabitant” later in the Orders and so must be regarded as an awareness of the distinction between a mere resident and an admitted inhabitant. In the preamble, these terms together are synonymous with “people,” a term which significantly does not appear in any of the specific laws. All settlers in the three settlements of Connecticut were to be “guided and governed according to such Lawes, Rules, Orders and decrees as shall be made, ordered and decreed.”

The eleven orders provided for a General Court to meet twice yearly. In its first meeting of the year, its primary function was that of a Court of Election. Upon the conclusion of elections, however, it could proceed to other business. In its second regular meeting each year, the court was to make laws and attend to all matters of public interest. If conditions warranted, a special session could be called, generally upon fourteen days’ notice, if an explanation accompanied the call or was given when the court convened. The Court was to consist of magistrates and deputies. Initially, a lawful court required the presence of a moderator (who might be the Governor, the Deputy Governor, or one especially chosen), and at least four other magistrates. In 1644, the Orders were altered so that a General Court would be deemed lawful if the moderator and at least two other magistrates were present with a majority of elected deputies.<sup>16</sup>

The magistrates were elected for one year terms by an ingenious system. One who had not previously served as a magistrate could not normally be nominated unless his name had been submitted at a previous session of the General Court. Secrecy of balloting for one properly nominated was secured by having each qualified voter submit a single paper on which would be written the name of the nominee, if his election were desired by the voter, or which would be left blank, if the voter opposed the choice of the nominee. Theoretically, there was no limit on the number of magistrates who could be chosen, inasmuch as anyone who received more votes than blanks was elected. There seemed no fear that there might be too many magistrates, but rather a fear that there might be too few. It was established that there must be at least six magistrates, and it was provided that if six people did not secure more votes than blanks, the six persons with the greatest number of votes would be considered elected.



In practice, it was difficult to secure election to the magistracy. Half of the number of magistrates elected before 1652 were drawn from the original members of the first magistracy formed under the Fundamental Orders. When it is observed that the new members incorporated into the magistracy included such gentlemen as John Mason, George Fenwick, and Henry Wolcott, it seems clear that public affairs remained in steady hands. The rate of turnover in the magistracy before 1658 was only eight percent. This increased in the next few years chiefly because the minimum number of deputies had been increased from six to fifteen in 1658. Few of the new magistrates had served as a deputy in any previous session of the Court. Most were men of position drawn from new settlements which had been established in Connecticut.<sup>17</sup>

The deputies, who were responsible for the selection of magistrates, were themselves elected from among the freemen of their town who had taken the oath of fidelity and were selected by the vote of the admitted inhabitants of their town who had taken the oath of fidelity. Windsor, Hartford, and Wethersfield were to send the four deputies who received the greatest number of votes. A measure of proportional representation was implicit in the provision that towns added thereafter would be permitted a number of deputies in proportion to their number of freemen. In the twenty-year period following the enactment of the Orders, the ratio of deputies to magistrates increased as the number of towns increased until it approximated two to one.<sup>19</sup>

The power to convene the General Court at the appointed times rested ultimately with the freemen of the colony. If the Governor failed or refused to call the Court into session, his right and duty to do so devolved first upon the Deputy Governor and then upon the magistrates. If none of these issued a call for the Court, it could be called into session by the majority vote of the freemen. This safeguard against tyranny is significant not merely as an indication of awareness of the historic problem revolving around monarchs who failed to call popular assemblies into session but also in view of recent legislation in Connecticut which permits the General Assembly to call itself into session.<sup>20</sup> The 1953 legislation serves to counterbalance any increase in power which the Gov-

ernor might derive from the extension of his term of office. This seems but a continuation of the fear of colonial Connecticut which recognized a final, although limited, popular responsibility which was intended to serve both as a limitation upon the magistracy and as a bulwark to the power of the Court.

Under the Fundamental Orders, the Governor's power was further restricted by his short term of office, which was one year, and by the provision that one could not succeed himself as Governor. The office of Governor was filled by that magistrate who received the greatest number of votes in the Court of Election, except that he could not have been Governor the preceding year, must be a member of an approved congregation, and must have served as a magistrate. The chief function of the Governor was to serve as chairman of the Court, but his deputy or a chosen moderator could be substituted in this function. The powers of the Governor remained weak, yet it was a desirable enough office to have been monopolized by John Haynes and Edward Hopkins, who succeeded each other from 1639 to 1655, except for one interruption in 1642 when George Willis was elected.<sup>21</sup>

It was the General Court which was intended to be the supreme power of the Commonwealth, however. The court alone was empowered to make and unmake laws, to grant levies, to dispose of lands, to question a magistrate or any person guilty of a misdemeanor, and to admit freemen. In addition, it could "deale in any other matter that concerns the good of this comon welth, except the election of Mages-trats." (article 10) Except that members of the Court were elected annually by the votes of a part of the settlers, there was no protection for the people against the Court, even, as it worked out, if it chose to alter franchise requirements and other arrangements of the Fundamental Orders.<sup>22</sup>

Although the implications of a logical development of the idea of popular consent are democratic in a modern sense, at the time of its implementation in the Fundamental Orders, the concept was considerably limited. It was republican, but not democratic. The Protestant political thought of late sixteenth century France embraced aristocratic republicanism as a necessary alternative to embracing divine absolutism.<sup>23</sup> In England, Milton seems to defend freedom of speech only for



the elect and limits republicanism by suggesting a legislature which would be a self-perpetuating body with life-time tenure.<sup>24</sup> When the Fundamental Orders were formulated, the popular base was expected to operate as it had in the Church, from which it was taken and applied to the state, where the members elected, but then were ruled by those elected.<sup>25</sup> The cry of the times was not for democracy but for a new privileged class on the basis of attributes considered valid by whomever was making the plea;<sup>26</sup> the Puritans assumed privilege proper for the elect.

The role of the electorate was specifically limited to selection and general delimitation of function. The delimitation of function in the Fundamental Orders severely circumscribed the power of magistrates, but left the elected members of the General Court to fill the vacuum. Their discretionary power was broad since they were expected to supplement the Orders with specific regulations and determinations upon the principles they could find or the analogies they could draw from the Bible.<sup>27</sup> This submission to the superior judgment of select brethren was in keeping with the theory of the federal or covenanted state, where, if a core of saints administered the laws according to the covenant, compelling the greater number of unregenerate inhabitants to obey and thereby achieving external conformity to intrinsically right patterns of conduct, all would be benefited, with the result justifying the coercion.<sup>28</sup> The real power of the Court, then, was similar to the theoretical role of magistrates in Massachusetts. It could be expected that the results would be mitigated only by the greater numbers of people involved in making decisions.

The Fundamental Orders have been regarded as the first written constitution which created a government based on popular consent. The Orders were certainly not, however, the first written constitution and possibly should not be regarded as a constitution at all. Government in Connecticut had been established by an earlier document rather than created by the Orders. The government was neither popular, nor intended to be so, if the term is used in its modern sense. Nevertheless, the Orders should be held in high esteem, although not for the reasons generally given.

There were written constitutions in existence before the Orders



were approved in Connecticut. Such a constitution had been ratified in the British colony of Bermuda in 1620. Another had been worked out in London and had been inaugurated in Virginia in the House of Burgesses in 1619. This Virginia arrangement contrasts with the Orders



*(Courtesy Conn. State Lib.)*

OLD SAYBROOK—TOMB OF LADY FENWICK, CYPRESS CEMETERY. SHE DIED IN 1648

in that it was provided for the colonists rather than being evolved by them, yet it did inaugurate an earlier constitutional government.<sup>29</sup> Connecticut, itself, had the written basis of a rudimentary form of government prior to the Orders in the March Commission of 1636, which in turn had been refined by the establishment of the General Court in 1637.<sup>30</sup> The Fundamental Orders were not, then, the first written constitution, nor were they the first form of government established for Connecticut.



There is a question whether, in the ordinary Anglo-Saxon usage of the word, the Orders constituted what might, in fact, be termed a "constitution." A basic principle of Anglo-Saxon constitutions is that they are inviolable except as altered with the advice and consent of the people. The power to change the Fundamental Orders, however, rested with the General Court. Article 10 provided that only it "shall have the power to make the laws or repeal them." There was no phrase by which alterations in the Fundamental Orders themselves were excluded from this sphere of the Court's authority. In actual practice, the Orders were altered eight times in the two decades which ensued prior to Connecticut's receiving a charter in 1662. On five of these eight occasions, the alteration was made without reference to the freemen. In the other three cases, the referral made was not required but was voluntary on the part of the Court.<sup>31</sup> Submission was not to the people in any broadly inclusive sense, but to a restricted group of "freemen" who not only were designated by the Court, or by a magistrate which it charged with this selection, but who could be deprived of this status for "scandalous offense."<sup>32</sup> This would seem to indicate that, within the Anglo-Saxon concept, the Orders were regarded at the time and should be regarded not as a constitution, but as a series of statutory laws, more analogous to municipal and guild ordinances than to subsequent state and federal constitutions.<sup>33</sup>

No attempt was made to establish a popular form of government. Precise terms indicated those to whom the affairs of the communities and colony would be entrusted. The failure of later generations to understand clearly what was meant in Puritan society by the terms "freemen" and "admitted inhabitant" has led to misunderstanding concerning the suffrage rights granted by the Fundamental Orders. There was a marked difference made between those who could merely vote on town matters and those who could, also, vote on colonial affairs. The town franchise was far from including the whole of the population, and the colonial franchise was much more sharply circumscribed.

The "admitted inhabitants" were the householders in the towns, including all the adult males, married or unmarried, who had taken the oath of fidelity. This oath could only be taken by a Trinitarian since it included the phrase, "Soe helpe me God in O<sup>r</sup> Lord Jesus

Christ," but did not require that one must be a member of a Puritan congregation. By 1656, those under twenty-one years of age had to meet the additional qualification of having held office or of possessing an estate of 30 pounds.<sup>34</sup> Women, servants, and apprentices were excluded, and those who were convicted of any scandalous offense lost their standing. Those who qualified by these standards as "admitted inhabitants" could participate in local affairs, vote for local officials, and vote for the deputies to the General Court.<sup>35</sup>

An "admitted inhabitant," however, was not necessarily a "freeman." A "freeman" was any "admitted inhabitant" who was selected by the General Court or by a magistrate charged with this selection. Freemen, then, were selected by other freemen. They were those whom the General Court considered qualified to participate in the affairs of the colony: "they were the especially chosen of godly men, the last sifting in the winnowing of the grain."<sup>36</sup> Connecticut differed from the Massachusetts and the New Haven colonies in that the religious base for participation in government was not ostensibly limited to church membership but only to the religious requirements implied in the oath of fidelity (i.e., Trinitarian conviction).<sup>37</sup> However, Connecticut granted, in discussion with New Haven in 1663, that freemen should be of a visible religious carriage and that this should be attested to by the Deacons of the Church if there were such, or otherwise by approved persons, and by two town selectmen.<sup>38</sup> In practice, then, it was assured that electors would be relatively safe, probably receptive enough to give consequence to the Connecticut law requiring parsons to instruct the Congregations in regard to elections. Probably less than one third of the "admitted inhabitants" were among this "popular aristocracy, the trusted pillars of the commonwealth."<sup>39</sup> Members of this select group were eligible for any office in the colony; could participate in the elections of colonial officials; and, in certain circumstances, could call the General Court into session. A government based on such limited suffrage was hardly "popular," nor was it intended by the Puritans that it should be.

In the Puritan scheme of things, as in all political conceptions of that era, there was little evidence of the democratic ideals of a later time. The great concern of the Puritans was always the solidarity of



the community. Itinerants and strangers were at liberty to stay away. When a new settlement was created, the land was given to the community, which distributed it to individuals. Frequently those with greater estates received proportionately larger shares of land. The town governed most of the affairs which involved the relation of one individual to another, as in the use of the forests, the meadows, the waste, and all other natural resources. In these, and in other things, the community came first. Democracy was not only not practiced, it was antithetical to the belief in a society of the elect, which was the very basis of Puritanism.<sup>40</sup>

Although it might be agreed that the Fundamental Orders do not merit the appraisals so frequently accorded them, and although it is important to note the mediaeval overtones, especially as they paralleled guild arrangements, they nevertheless contained important principles of representative government. The intent of the Fundamental Orders patently was not merely to reproduce the practices of government elsewhere, and the legislative method initially outlined for Connecticut was radically different from that practiced in Massachusetts when Hooker was there. The General Court of the Bay Colony consisted of the Governor, Deputy Governor, other magistrates (or assistants), and the deputies. The passage of a proposal could be killed by a "Negative Voice" of the magistrates. This "Negative Voice" was frequently used, as Winthrop said, "to balance the greater number of the deputies."<sup>41</sup> Thomas Hooker had seen it used effectively to refuse him permission to remove to Connecticut in 1634 even though the majority of the court had then voted for removal. Later, in reply to Winthrop's often quoted assertion "that the best part was always the least and that of the best part the wiser part was always the lesser," Hooker declared that he "chose neither to live or to have his posterity live under such a government."<sup>42</sup> In Connecticut, the first arrangement under the Fundamental Orders did not allow the magistrates a "Negative Voice." The voice of the deputies was supreme. However, in 1644, legislation reducing the number of magistrates necessary to form a lawful court was coupled with the provision that "No act shall passe or stand for a law wch is not confirmed both by the major part of the said magestrates, and by the major prte of the deputies then present in Court, both magestrates and depu-

ties being allowed, eyther of thee, a negative voate.’’<sup>43</sup> Although this alteration occurred in 1644, the Fundamental Orders at first had inaugurated a basis of control which was broader than in Massachusetts.

It is significant that the Connecticut government originated among the settlers themselves.<sup>44</sup> The Fundamental Orders of Connecticut were patterned for the demands of a Puritan Commonwealth which intended “to mayntayne and presearue the liberty and purity of the gospell of our Lord Jesus.” The document served the purposes of its originators remarkably well. In addition, it contributed to the growth of representative government. It is important not merely for the limited benefits which it conferred, but also because the import attributed to it subsequently was itself an indication of the flowering of a concept which had been furthered, though not fathered, by the Fundamental Orders.

### *Town Government*

The machinery of Connecticut government was extended to the towns when, in October, 1639, the General Court established the privileges and limitations of local governments. The laws of concern to the towns were forwarded to town constables to be published. The constables, also, were to read aloud, once a year, those that had been repealed. The towns were to enforce the laws of the General Court and could enact laws of their own if these did not conflict with those of the Court. Although the towns were permitted to name their own officers, the selection, apparently, was always subject to the approval of the Court. The clerk of the town was to keep vital statistics and transmit these to the Secretary of the Court for recording. In each of the settlements, there was established a town court, which was to meet every two months to hear all controversies between parties of the same town, provided the amount involved was not greater than forty shillings.<sup>45</sup> Thus, from the beginning the considerable extent of the control exercised by the central government over the towns was evident.

### *The New Haven Government*

The government of the New Haven colony during the first year of its settlement was very similar to the initial arrangements in other



New England communities. On "the first day of Extraordinary humiliation," a plantation covenant was entered into for the purpose of arranging the civil affairs of the colony. It is probable that several of the settlers had agreed on the main features of government.<sup>46</sup> It would have been extraordinary indeed for the guiding hands of Davenport and Eaton not to have been apparent in these first months of settlement.

Their period of residence in Massachusetts had provided an opportunity for them to become familiar with Massachusetts forms. Davenport lived for nine months in the house of John Cotton, who had presented to the General Court of Massachusetts on October 25, 1636, a code of laws which he recommended as "a model of Moses his judicials compiled in an exact method." It consisted of ten chapters dealing with matters of concern to the civil and ecclesiastical affairs of the colony. The code reflected the practices which existed in Massachusetts at the time: it provided for Congregational churches, and limited the franchise and the right to hold office to church members. This limitation of franchise, which was a new idea to Davenport, was one to which he was receptive. A copy of the code was not available, apparently, when Davenport moved to New Haven but was sent later, and in the meantime, Davenport carried Cotton's *Discourse About Civil Government*.<sup>47</sup>

When the free planters of New Haven met in Robert Newman's barn on June 4, 1639, the fundamental query posed by Davenport for determination by the assemblage concerned the qualifications for suffrage and office holding. Davenport presented his conviction that all free burgesses should be members of the church of New Haven or of another approved church of New England. The recommendation did not elicit any discussion, so Eaton moved the question. By unanimous vote, it was established that only such church members should have the right to choose magistrates and officials, make laws, transact public business, divide inheritances, and perform other similar duties in the colony.<sup>48</sup>

Only after unanimous assent had been twice accorded did a protest come from a dissenter, uncertainly identified for us. In this protest it was granted that freemen and magistrates should be God-fearing men and that such men would ordinarily be found in the church, but it was suggested, nevertheless, that free planters should not permit all power

to slip from their hands and it was proposed that provision be made for the planters to resume their power if "things were nott orderly carryed." The dissenter declined to elaborate his views since he had let the vote pass previously without protest. Davenport apparently found the suggestions obnoxious, and, to efface their effect, he called for a third vote of reaffirmation, after suggesting as lure for consent that "the rest . . . expect in time to be of ye livery themselves, and to have the same power." The free planters had already agreed that they desired to be "admitted into church-fellowship according to Christ, as soon as God shall fitt them thereunto," and did not impair their chances of selection by any recalcitrance at this point. The third vote was again unanimous and reinforced by the assertions of some "that they were now fully convinced thatt itt is the minde of God."<sup>49</sup> Thus, New Haven resolved the basic principles of government which constituted its "Foundamentall Agreement" or written constitution.

Later, the outlying settlements of Guilford, Milford, and Stamford joined the New Haven settlement to secure the protection of the confederation of New England colonies which had been established. A distinction was then made between the town and the colony of New Haven, and, for the latter, the structure of a colonial government was established. In general, the principles of the Cotton Code were extended. Structurally, the fundamental orders of New Haven provided for a government which was similar to that of Connecticut. The code was extended and amended until, in 1654-55, Governor Eaton was directed by the General Court to review the laws and to draw up those which he believed necessary. Eaton did not merely rely upon the laws in existence in New Haven but also drew heavily upon the Massachusetts Code of 1648. When prepared, the laws were printed in London and, in the summer of 1656, were forwarded to the settlements within the jurisdiction of New Haven.<sup>50</sup>

### *The New England Confederation*

As New Haven and Connecticut were inaugurating new forms of government for internal affairs, Thomas Hooker and John Haynes, while on a visit to Boston in May 1639, revived a proposal for the creation of a league of friendship among the New England colonies. The



need for such an organization had been recognized as early as 1637. This need was emphasized by challenges to religious orthodoxy, such as the Anne Hutchinson controversy in Massachusetts; by the danger from the Indians; and by the potential threat of the Dutch and French. The numerous differences between Connecticut and Massachusetts make it difficult to determine the specific reasons for delay. Jealousy, prejudice, and self-interest on the part of both states, however, played a part. John Winthrop feared for his colony to be bound by determinations influenced by the democracy which he considered to exist in Connecticut. He had expostulated earlier about the "unwarrantableness and unsafeness of referring matters of counsel or judication to the body of the people."<sup>51</sup> Massachusetts interjected claims to Springfield and to the right to navigate the Connecticut as conditions to the proposed agreement. Connecticut's fear of being absorbed by the older colony contributed to her reluctance to league with Massachusetts. Her irritation was sharpened by the belief that Massachusetts was discouraging immigration to Connecticut. She refused, in 1638, to accept the proposal that the decision of the majority of Commissioners of the colonies should be final. Instead, Connecticut, at that time, insisted upon a veto power by suggesting that the Commissioners' decision should be final only when agreement was unanimous.<sup>52</sup>

The French menace increased the interest of each of the New England colonies in cooperation. An attempt to achieve confederation superseded negotiations for bilateral agreements. Hooker had secured an agreement of cooperation with George Fenwick of Saybrook and had sought a similar agreement with Rhode Island. The Massachusetts General Court, however, refused to enter into any league which included Roger William's colony. Connecticut, in the realization that any effective alliance must include Massachusetts, then appointed John Haynes and Edward Hopkins to go to the Bay colony to effect a confederation of the New England colonies, or to secure an agreement between Massachusetts and Connecticut. To New Haven, confederation was a necessity. The commercial interests of her settlers had created new points of conflict as they expanded into territories claimed by the Dutch and the Swedes. In May of 1643, Eaton and Gregson from New Haven met with the delegates sent by Connecticut to Massachusetts, two delegates from

Plymouth, and six appointed by the Massachusetts General Court to confer upon the matter of confederation.<sup>53</sup>

The deliberations in Boston resulted in the creation of a league of friendship among Massachusetts, Connecticut, New Haven, and Plymouth to perpetuate the truth and liberties of the gospel and to promote the mutual safety and welfare of the colonies. Each colony was to appoint two Commissioners who would meet the first Thursday of each September and in extraordinary session as required. Two meetings in each five-year cycle were to be held in Boston; the other three in Hartford, New Haven, and Plymouth. The President, who was chosen from among the Commissioners, was not to cast tie-breaking votes. Decisions by the Commissioners had to be based on a vote of six out of the eight. Otherwise, questions were to be referred to the General Courts of the four colonies for conclusion.<sup>54</sup>

The arrangements constituted a confederation. It was provided that the colonies would have "peculiar Jurisdiction and government within their limmetts," and, in its administration, the Council of the Confederation was to guard against "intermedling with any of the Jurisdictions." The relation of the Council and the several General Courts, however, remained ambiguous. Since the prerogatives of the Council were more specifically defined than those of the member colonies, the General Courts of the colonies ultimately dominated the Council. This development was made easy by the General Courts' control of the purse.<sup>55</sup>

In civil affairs, the Confederation was "to frame and establish agreements and orders in genall cases" which included the preservation of peace among themselves, free and speedy justice in all the colonies, and the admission without certificate of those who moved to one colony from another. Provisions were made for the return of escaped servants and prisoners. It was established, too, that the colonies within the confederation would conduct their relations with the Indians in such a way that the latter would neither grow insolent nor be injured. The confederation adopted an attitude of paternalism toward the Indians, disbursing funds for their Christianization when this was undertaken.<sup>56</sup>

To provide for the security of the colonies, it was established in theory that if any three magistrates of any of the jurisdictions called for



assistance, the other colonies should respond without delay. The registration of all males in each colony between the ages of sixteen and sixty was required. For every 100 men furnished by Massachusetts, each of the other three member colonies was to supply 40, "if that were not too great a proportion." The number and proportion of men could be altered by the General Courts.<sup>57</sup>

A conscious effort was apparently made to prevent any one colony from involving the others in aggressions to further some special interest. Inasmuch as "the justest war may be of dangerous consequences especially to the smaller plantations," it was provided that no one of the colonies nor any part of them should engage in war without the consent of at least six of the eight commissioners. In keeping with this caution, although it was provided that the cost of a war was to be borne proportionately, it was arranged that no charge would be made to any of the confederates until the commissioners had approved the justness of the war and had agreed upon the amount of money to be paid. It was provided further that if investigation showed that a war presumed to be defensive had been caused by a fault of the colony invaded, that colony would have to make satisfaction to the invaders and bear all the costs of the war alone.<sup>58</sup>

The resources of Massachusetts made it inevitable that she would dominate the confederacy. Her preponderance was recognized by the other colonies when they agreed that for two years out of every five confederation meetings would be held in Boston and that Massachusetts representatives should sign first after the confederation President and have first place at all public meetings. The temper of the Massachusetts General Court was revealed when it insisted, in 1645, upon its right to commission the forces sent in defense of Uncas. Massachusetts yielded to the Commissioners of the Confederation upon this occasion only with the warning that Massachusetts reserved this right in the future. Ironically, Massachusetts exerted her influence over the Confederation, not by votes of her Commissioners in opposition to projects which would entail her being called upon to supply the greater proportion of men and materials, but by the refusal of her General Court to supply the necessary aid and assistance to which the decisions of the confederation technically bound her.<sup>59</sup>



The attempt of Connecticut to cooperate with other New England colonies was beset with difficulties from the beginning. The relative power positions of the colonies were not reflected in comparable voting powers in the confederation. The arrangement could last, then, only so



(Courtesy Conn. State Lib.)

WINDSOR—TOMB OF REV. EPHRAIM HUIT, OLDEST TOMBSTONE IN THE STATE, DATED SEPTEMBER 4, 1644

long as it was of particular advantage to the colony with the greatest strength. When it ceased to be offered this, such a colony would be unwilling to accept the diminution of power entailed in membership. Ironically, it was Massachusetts, the strongest colony, who had refused what would have amounted to veto power when she had opposed Connecticut's suggestion that decisions should be based on an unanimous vote. Yet, when Massachusetts no longer felt herself menaced by the



French, she found few compensations and many liabilities attending membership in the confederation. The Council of the Confederation received its sternest test in matters concerning the relation of Connecticut to her neighbors. There is little to suggest that the organization or its provisions had a great influence on history.

## NOTES—CHAPTER III

- <sup>1</sup> Preamble, Fundamental Orders.
- <sup>2</sup> Articles of Confederation of the United Colonies of New England.
- <sup>3</sup> Andrews, "Early Aspects of Connecticut," pp. 8-9; and above Ch. II.
- <sup>4</sup> Perry Miller, *The New England Mind, From Colony to Province* (Cambridge, Mass., 1953), p. 54.
- <sup>5</sup> Samuel Eliot Morison, *The Puritan Pronaos, Studies in the Intellectual Life of New England in the Seventeenth Century* (New York, 1936), p. 155.
- <sup>6</sup> *Ibid.*, pp. 155-57; Miller, *New England Mind*, p. 21; Andrews, *Col. Period of Am. Hist.*, II, pp. 102-103.
- <sup>7</sup> Miller, *New England Mind*, pp. 21-26, 53-54.
- <sup>8</sup> See above, Ch. II.
- <sup>9</sup> *Collections*, Conn. Hist. Soc., I, p. 20; Andrews, *Col. Period of Am. Hist.*, II, p. 101.
- <sup>10</sup> George H. Sabine, *A History of Political Theory* (New York: c. 1937), (1955 ed.), pp. 362, 365, 367-70, 372 ff., 376-84; William Y. Elliott and Neil A. McDonald, *Western Political Heritage* (New York: c. 1949), (1950 ed.), pp. 382, 385-86.
- <sup>11</sup> *Ibid.*, pp. 388; Sabine, *History of Political Theory*, p. 358; Thomas P. Jenkin, "The Study of Political Theory" (New York, 1955), p. 38.
- <sup>12</sup> *Collections*, Conn. Hist. Soc., I, p. 20.
- <sup>13</sup> Jenkin, "Study of Political Theory," p. 25.
- <sup>14</sup> Andrews, *Colonial Period of American History*, II, p. 105, note 1.
- <sup>15</sup> *Conn. Col. Rec.*, I, pp. 2-20; William M. Maltbie, "Judicial Administration in Connecticut Colony before the Charter of 1662," *Connecticut Bar Journal*, June 1949. The second part of the same discussion is found in the September, 1949, issue of the same journal.
- <sup>16</sup> *Conn. Col. Rec.*, I, p. 118. The alteration is recorded under the date of February 5, 1644. Internal evidence, however, suggests that this date is more likely in the year 1645.
- <sup>17</sup> Concluded on the basis of an analysis of the sessions of the Court from 1639 to 1659. See *Conn. Col. Rec.*, I, pp. 20-334.
- <sup>18</sup> *Ibid.*, pp. 20-334.
- <sup>19</sup> *General Statutes, State of Connecticut, 1955 Supplement*, Vol. I (Hartford), Title I, Ch. I, Sec. 5d, p. 2.
- <sup>20</sup> *Conn. Col. Rec.*, I, pp. 20-334.
- <sup>21</sup> Andrews, *Col. Period of Am. Hist.*, II, pp. 110-11.
- <sup>22</sup> Crane Brinton, *Ideas and Men, The Story of Western Thought* (New York, c. 1950), pp. 293-94; Sabine, *History of Political Theory*, pp. 372-73, 383-84.
- <sup>23</sup> Brinton, *Ideas and Men*, pp. 294-95.
- <sup>24</sup> Andrews, "Early Aspects of Connecticut," pp. 8-9.
- <sup>25</sup> Brinton, *Ideas and Men*, pp. 260-61.

- <sup>27</sup> William B. Weedon, *Economic and Social History of New England, 1620-1789*, I (Boston and New York, 1890), p. 222; Andrews, *Col. Period of Am. Hist.*, II, pp. 111-13.
- <sup>28</sup> Miller, *New England Mind*, pp. 53, 82.
- <sup>29</sup> Andrews, *Col. Period of Am. Hist.*, II, pp. 142-43, note.
- <sup>30</sup> See above, Ch. II.
- <sup>31</sup> *Conn. Col. Rec.*, I, pp. 119, 138, 150, 256, 290, 293, 351.
- <sup>32</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 111.
- <sup>33</sup> Andrews, "Early Aspects of Connecticut," pp. 11-12.
- <sup>34</sup> *Conn. Col. Rec.*, I, p. 293; Andrews, *Col. Period of Am. Hist.*, II, pp. 104-105.
- <sup>35</sup> *Ibid.*, p. 118.
- <sup>36</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 106.
- <sup>37</sup> *Ibid.*, pp. 106-107.
- <sup>38</sup> *Ibid.*, p. 105, note 4.
- <sup>39</sup> *Ibid.*, p. 106.
- <sup>40</sup> *Ibid.*, p. 112.
- <sup>41</sup> *Conn. Col. Rec.*, I, p. 133.
- <sup>42</sup> Andrews, *Col. Period of Am. Hist.*, II, p. 88. See above, Ch. II.
- <sup>43</sup> *Conn. Col. Rec.*, I, p. 119.
- <sup>44</sup> See above, Ch. II.
- <sup>45</sup> *Conn. Col. Rec.*, I, pp. 36-40.
- <sup>46</sup> Charles J. Hoadley, ed., *Records of the Colony and Plantation of New Haven, from 1638 to 1649* (Hartford, 1857), pp. 12, 20; Calder, *New Haven Colony*, pp. 50-52.
- <sup>47</sup> *Ibid.*, and pp. 41-44; Andrews, *Col. Period of Am. Hist.*, II, p. 156.
- <sup>48</sup> Calder, *New Haven Colony*, pp. 106-107; Charles H. Levermore, *The Republic of New Haven* (Baltimore, 1886), pp. 17-25; *New Haven Col. Rec.*, 1638-49, pp. 11-20.
- <sup>49</sup> *Ibid.*, pp. 14-15.
- <sup>50</sup> Calder, *New Haven Colony*, pp. 116-129.
- <sup>51</sup> *Ibid.*, pp. 79-80.
- <sup>52</sup> Hosmer, ed., *Winthrop's Journal*, I, pp. 231-32, 287-91, 301-302; *Conn. Col. Rec.*, I, p. 30; *Collections*, Conn. Hist. Soc., I, "Rev. Thomas Hooker's Letter," pp. 1-18.
- <sup>53</sup> *Conn. Col. Rec.*, I, pp. 30, 68, 82; Hosmer, ed., *Winthrop's Journal*, I, p. 30; *Mass. Col. Rec.*, I, p. 305, II, p. 82; *New Haven Col. Rec.*, 1638-49, p. 87; Calder, *New Haven Colony*, pp. 113-15.
- <sup>54</sup> David Pulsifer, ed., *Records of the Colony of New Plymouth in New England*, IX, "Acts of the Commissioners of the United Colonies of New England, 1643-1651," (Boston, 1859), pp. 3-8.
- <sup>55</sup> *Ibid.*, pp. 3-8, 31; Calder, *New Haven Colony*, pp. 178-79, 196.
- <sup>56</sup> *Records of the Colony of New Plymouth*, IX, pp. 3-8.
- <sup>57</sup> *Ibid.*
- <sup>58</sup> *Ibid.*
- <sup>59</sup> *Ibid.*, pp. 25-109.



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## Chapter IV

### Expansion and Conflict

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**A**FTER THE early settlements in Connecticut and that of New Haven had been firmly established under the terms of their political covenant, there was persistent expansion along the shoreline, across the Sound, beyond the Hudson, and down the Delaware. Transportation limitations dictated that new settlements should be located along the Sound or along rivers. A residue of Indian hostility deterred settlement in certain areas, as around Middletown, which was not considered safe until 1646, and lingered much longer in outlying areas. The great wilderness backcountry was still the province of a few traders.<sup>1</sup>

#### *The Extension of Settlements*

The development of the towns falls into rather definite cycles. In the first of these, towns were established by groups coming from outside the colony. This cycle ended with the founding of Guilford in 1639. The towns established during this first period then served as “mother towns,” constituting the source of all new settlements until the last quarter of the century. In the last phase, these new settlements, in turn, pushed out and formed communities such as Woodbury in 1673 and Danbury in 1685. All settlements planted after 1639 were offshoots of established communities.<sup>2</sup>

For the most part new settlement was undertaken because the remaining extent of unappropriated land within established towns was not adequate to absorb further population increase. However, although all settlements were expected to walk properly in the light of God, sometimes the new settlements stemmed from incompatible interpreta-

tion as to what was so revealed. The ecclesiastical life of Wethersfield grew so unsettled that John Davenport was called in to resolve the difficulties. The situation was apparently beyond his persuasive powers, and, in 1641, he invited one group to remove to Stamford. Similar dissatisfaction in Stratford resulted in the settlement of Woodbury. In 1665, the preaching of the second pastor of Stratford aroused the indignation of certain of his congregation who invited another to preach to them. For a time the meeting house was shared, but the dissension aroused such emotions as to prevent the continuance of the arrangement. Finally, one minister petitioned for removal to Woodbury, and fifteen of his congregation settled there.<sup>3</sup>

The techniques of settlement were well developed. Small groups of people, generally less than sixty, who sought to enlarge their accommodations and to walk properly in the light of God, would petition the Court for permission. Occasionally, a site was purchased from an established settlement, but generally land was secured directly from the colonial government. Almost invariably, the title was reinforced by the additional formal purchase from the Indians. The privilege to settle was extended to compact groups of people who controlled the land, church, and government, and could be expected to project the accepted terms of the covenant into their management. To encourage the settlement, the court frequently freed it from taxes for a period of years, and, when the settlement was considered to be properly established, it was invited to send deputies to the General Court.<sup>4</sup>

Despite the regulatory efforts, there were instances of unauthorized settlement by individuals. Jonathan Brewster of New London, for example, established a trading house at the junction of the Shatucket and Quinebaug rivers without permission of the court. He was permitted to stay, but his actions were considered "very disorderly." Such leniency was not always exercised, however, as when William Cheesborough infringed upon a monopoly when he attempted to establish a trading house at Pawcatuck. The interloper was not only ordered to leave, but was also placed under bond not to continue his trade with the Indians.<sup>5</sup>

Efforts were sustained for a long period to prevent land from becoming an object of speculation. Many plantation agreements, or court



requirements, stipulated that every planter must settle within three months on the land allotted to him. Exceptions to this time requirement were made where the settlers were bound together by social and religious fellowship, or the process of settlement very gradual, or the loyalty of the members unquestioned. If a grant were not improved and



(Courtesy Conn. Devel. Comm.)

ANSONIA—RICHARD MANSFIELD HOUSE.  
OWNED BY THE ANTIQUARIAN AND LANDMARKS SOCIETY

settled as required, it reverted to the colony for disposition at the court's pleasure. Under these arrangements lands were reserved almost exclusively for settlement until the last quarter of the century.<sup>6</sup>

Toward the end of the 17th century, and to a much greater extent in the 18th, land grants were made, not in the interest of town development, but for purposes of speculation. The inequities of the late distributions of commons, where there was a marked discrimination in favor of the wealthier owners, may have invested certain individuals in tracts too large for individual improvement and large enough to be held



for speculation. This would seem the possible intent behind purchases of Indian lands by voluntary subscriptions in shares of specified amounts without relation to the estate criteria used in conventional allocations of town lands. These lands were held and regulated by the shareholders until divided among them.<sup>7</sup> New opportunities were presented by the opening of the northeastern section of the colony. The proprietors no longer constituted a compact body of settlers planning to make land grants on a determination of merit. They were in business from a profit motivation. The amount of desirable land had decreased, and the price had risen accordingly. When in 1684, the shrewd and capable Captain James Fitch gained title to practically all of Windham, he was ready to promote what must have been one of the most successful land operations in the history of Connecticut. This operation was not completed until well into the 18th century, but its beginnings foreshadowed developments. The influence of the court over land distribution was practically eliminated. Speculative distribution of land marked an end in Connecticut to the earlier principles of town development and suggests, perhaps, that the balance between economy and religion was weighted in favor of free enterprise.<sup>8</sup>

The expansion brought New Haven and Connecticut into conflict with Sweden and New Netherlands. Although settlers moved into territory claimed by the Dutch, they remained primarily English in their culture, and especially in their political concepts. They looked to Connecticut and New Haven, to the New England Confederation, and to the Crown for assistance in their contest with the Dutch. Their infiltration was so successful that when England acquired New York, the Puritan settlers proved to have been the vanguard of Anglicization. In the larger conflict between England and the Netherlands, the land claims of New Haven and Connecticut were sometimes placed in hazard. This circumstance impelled the colonies to seek a charter from the Crown as a protection. Connecticut's success and New Haven's failure in negotiating a charter resulted in their union as a single colony in 1664.

### *The Dutch Rivalry*

Rivalry for land was an important element early in the contest between Connecticut and New Netherlands. After 1638, when New



Netherlands no longer considered trade the complete *raison d'être* of the colony and began to encourage agriculture, land became important to the Dutch.<sup>9</sup> In this contest for land, the Dutch held advantages derived from basing possession on priority of claim and occupation on authorization from their government. Although Connecticut settlers were without a clear title from the English government, they had denied, from the beginning, the right of the Dutch to the territory along the Connecticut. This challenge they based on English claims to the territory and on the contention that the Dutch purchases from the Pequot Indians were invalid, inasmuch as the Pequots, according to the English, were themselves usurpers.<sup>10</sup> Inevitably and invariably, they found that the Lord's will accorded with their occupation and improvement of the land. When the Puritans plowed up a land reserve around the Dutch redoubt in Hartford, it was because, as Governor John Haynes explained, "it would be a sin to leave uncultivated so valuable a land, which could produce such excellent crops."<sup>11</sup>

Controversies raged for months over such trivial incidents as that a cow belonging to the Dutch ate grass claimed by an Englishman. Such incidents provoked retaliations and the English and Dutch took turns raiding each other's provisions, blocking roads, pulling fences, and confiscating livestock year after year. It was in the name of the home governments that letters were exchanged and protests filed, but authorities in Europe were too busily engaged to become involved in such colonial controversies.<sup>12</sup>

The absence of official support from England did not prevent settlers of Connecticut and New Haven from pressing westward in the direction of the Dutch and establishing settlements along the Sound. In September, 1639, the General Court granted Roger Ludlow the privilege of purchasing land from the Indians and establishing a plantation at Pequannock, from which came the towns of Stratford and Fairfield.<sup>13</sup> Peter Prudden and his followers purchased, in 1640, the original tract upon which Milford was begun. In the same year Nathaniel Turner purchased land for the Stamford settlement, and Robert Feake and Daniel Patrick of Watertown, Massachusetts, founded Greenwich. It was expected that these settlements would arouse Dutch opposition, and Greenwich, which was placed initially under the jurisdic-

tion of New Haven, even had to submit to Dutch control a year later.<sup>14</sup>

Although the efforts of New Haven along the Delaware became a source of friction with New Netherlands, initially these had received Dutch sanction. Captain Nathaniel Turner purchased land on both sides of the Delaware in 1640, and, in the Spring of the next year, he and George Lamberton outfitted a company of 24 families which set sail under the command of Robert Cogswell. They stopped at Manhattan as requested and were permitted to proceed after assuring Governor Kieft that they did not intend to settle in lands claimed by the Dutch.<sup>15</sup> After lands were occupied and trading houses commenced, the New Haven General Court declared that the plantation along the Delaware should be considered in combination with the town of New Haven, and Nathaniel Turner was authorized to go to the plantation for his benefit and for the public good. This settlement figured as an issue later when the contest for land merged into a competition for trade.<sup>16</sup>

Concurrently, while advancing their ambitions in the west and along the Delaware, the enterprising settlers of New Haven took advantage of an opportunity to gain a foothold across the Sound. James Forrett, the agent of a claimant to Long Island, had attempted to settle the area. After being repulsed three times by the Dutch, Forrett, with the aid of New Haven, established Southampton in December, 1640. The settlers at New Haven moved quickly to secure title to the territory. When Forrett had thus effectuated his employer's titles, New Haven purchased from him the northeastern arm of Long Island known as Southold. After the death of his employer, Forrett found himself without funds and sold the island between the arms of the Sound, of which he had taken possession for himself, to Stephen Goodyear, who offered it to New Haven. When New Haven declined to purchase the island, Goodyear then sold it to a group of purchasers who proved out of sympathy with New Haven's religious ideals. New Haven, then, claimed jurisdiction over it. Before returning to Scotland in the Summer of 1641, Forrett mortgaged the undisposed remainder of Long Island to residents of Connecticut and New Haven, through whom claims passed to the colonies.<sup>17</sup>

To thwart the advance of the English, the Dutch attempted to



bolster their claim to territory east of the Harlem River and purchased the Norwalk Islands in the Spring of 1640. The next year the Governor of New Netherlands planned to reinforce the Dutch fort at Hartford with fifty men. "It pleased the Lord," as Winthrop pointed out, "to disappoint the purposes of the Dutch," through an Indian attack that forced the Dutch to retain these men for defense. The Gov-



*(Courtesy Stamford Historical Society)*

STAMFORD—HOME OF THE STAMFORD HISTORICAL SOCIETY, BUILT ABOUT 1730

ernor had to content himself with a prohibition made the next year forbidding commercial relations with the English at Hartford.<sup>18</sup>

To strengthen her position in the contest with the Dutch, Connecticut sought to enlist outside support. In June, 1641, the settlers of Connecticut referred their problem to Massachusetts. The Bay colony refused to take sides in the argument, urged moderation, and suggested that Connecticut might be lenient in its dealings with the Dutch. However, in the fall of that year, Massachusetts sent Hugh Peter, a minister at Salem, to Holland to attempt to settle the western



problem by the purchase of New Netherlands.<sup>19</sup> William Boswell, the English agent at The Hague suggested that the mission might be furthered if persons of quality should acquaint the Dutch Ambassador with the problem or if a statement could be secured from Parliament or the House of Commons to indicate concern for the English in America.<sup>20</sup> The English government, engaged in a Civil War, was not inclined to support the ambitions of the colonies officially. The basic English principle of effective settlement was given special reference to the Connecticut-Dutch problem, however, by an enunciation of Lord Saye and Sele, one of the original grantees of the Warwick patent. In a letter to the Dutch Ambassador, he emphasized that there had never been more than five or six Netherlanders in Connecticut, while there were two thousand Englishmen. He united the Puritan rationale for occupation with the Elizabethan justification by asserting that the Dutch had lived in ungodly ways unbecoming to the gospel of Christ.<sup>21</sup> He appealed further by pointing out that the settlement at Dutch Point had never made a profit and would always be an expense to the Netherlands. When the effort to negotiate purchase failed, William Boswell suggested continuance of the course which the Puritans had been following. He recommended that they "push forward their plantations and crowd on, crowding the Dutch out of those places where they have occupied, but without hostility or any act of violence."<sup>22</sup>

As a next step, however, the colonies of Connecticut and New Haven brought the problem to the attention of the New England Confederation, presenting complaints in September, 1643, against both the Swedes and the Dutch. Lamberton had disregarded his promise not to encroach on Dutch territory and had been driven away by the Dutch who had encouraged the Swedes to take similar action. The Confederation ordered its President to enter into negotiation with the Director Generals of New Netherlands and New Sweden.<sup>23</sup> A clue to the limited extent to which the Confederation might be expected to press for adjustment was Winthrop's statement to Governor Keift that the land in question was so slight that there was no reason for it to cause a breach.<sup>24</sup> The complaints which were made before the Confederation were forwarded to Governor Keift, and matters rested after his reassertion of Dutch rights.<sup>25</sup> Connecticut and New Haven, in the years im-



mediately following, turned their attention to the development of towns in the general vicinity of the original settlements.<sup>26</sup>

Conflicting trading interests made it impossible for contention between the colonies and New Netherlands to be eliminated, and the next land claims came not as a result of population expansion but in an attempt to protect commerce. The injuriously high duties exacted from English merchants by the Dutch West India Company caused friction with New Haven. New Haven not only protested and struggled against impositions on its merchants, but encouraged even Dutch merchants in attempts at evasion of the levies to which they were liable.<sup>27</sup> In such an attempt, the *St. Beninio* sailed from the Netherlands, directly to New Haven. It lay at anchorage and traded for a month before its presence was communicated to Peter Stuyvesant who had recently arrived in New Netherlands. He allowed it to continue the trade on the provision that it would then sail to New Amsterdam and pay the duties for which it was liable. When he learned that it intended to sail for Virginia without stopping in New Amsterdam to pay duties, he placed a trading party on a vessel which had been recently sold to a New Haven settler, and camouflaged the transport of troops under guise of delivery of the vessel. Arrival was well timed for seizure of the *St. Beninio*. The New Haven residents were still at worship on a Sunday morning in October, 1647. John Fiske recorded that "there was clamour and cursing enough to disturb Parson Davenport's sermon, and some rushing from the pews to the meeting-house door ensued, but it was too late to stop the exultant Dutchman as he sped away with his prize up the Sound before a spanking breeze." The Puritans were outraged at the violation of the Lord's day and long protested against the combination of public and private business. They allowed the owners of the *St. Beninio* to escape the consequences of their violation by taking out citizenship in New Haven.<sup>28</sup>

The ensuing correspondence was punctuated with invective hardly seemly for such worshipful people as the New Haven citizenry. Even the New England Confederation entered into the matter, asking for information concerning Dutch impositions and threatening retaliation when a satisfactory reply was not received. In the heat of the discussion, counter claims to territory were exchanged. On the Tuesday following

the *St. Beninio* raid, Stuyvesant proclaimed sovereignty over all territory to the east as far as Cape Cod and declared that the Dutch would maintain its claim by force if necessary. At the same time, Theophilus Eaton reasserted New Haven's claim to the lands purchased on the Delaware. In 1649, New Haven asked the Confederation for instructions concerning the furthering of their interest in this area. The United Colonies declined to send men to possess the area, but left the merchants of New Haven "to their Just libertie to dispose Improve or plant the land they have purchased in those parts or any part thereof as they shall see Cause." New Haven construed this to mean that she could extend her holdings on the Delaware when she desired.<sup>29</sup>

The strained relations of the Dutch and the English lent credence to the possibility of a combination of the Indians with either power against the other. As the settlers advanced to the West, the peril of the Indian increased and rumors of dangers were easily spread, each intensifying the fear of the consequences of selling arms to the Indian. Both the English and the Dutch accused the other of this traffic. The Confederation, in 1647, urged the Dutch to vigilance, agreeing that Dutch laws were adequate for the suppression of the trade, but pointing to the strong temptation for excessive gain.<sup>30</sup> The next year the United Colonies complained that the trade continued and that they had not been informed of any steps taken by the Dutch to stop it. By the Summer of 1649, the dangers were asserted to be so great that the Confederation forbade the trade of any foreigner with Indians within English territory, that is, any territory claimed by the English.<sup>31</sup>

Stuyvesant recognized the dangerous course of events and sought to deflect it by reference to the respective home governments. The home governments were not willing to become involved at this time. The Puritan Civil War had just been concluded, and the Dutch were not inclined to enter into negotiations with the parliamentary government on such an issue. The English and Dutch in America, then, were left to their own diplomacy, and Stuyvesant agreed to meet at Hartford with the Commissioners of the United Colonies in an attempt to settle the difficulties.<sup>32</sup>

To begin this "first international negotiation on American soil,"<sup>33</sup> Stuyvesant arrived in Hartford on September 11. In his first communi-



cation he twitted the austere Puritans by inserting "New Netherlands" in his heading along with a date line indicating plainly that he was writing after arrival in Hartford. The Commissioners, replying under the heading of Hartford in New England, refused to proceed with negotiations in the face of such presumptuous impertinence. Stuyvesant agreed to forbear from such assertions if the Commissioners would reciprocate. Thereafter, Stuyvesant used "Connecticut" as a heading. The President of the Confederation stretched reciprocity as far as discretion permitted and used "Hartford upon Connecticut."<sup>34</sup> In spite of the initial petulance, a New England scribe wrote that the Commissioners of New England "got his Excellency so far along by a sweet and right subtle line" that he was soon willing to negotiate.<sup>35</sup> A more fundamental reason for his tractability was the more effective settlement of the English, whose population outnumbered the Dutch five to one. Although Stuyvesant first repeated the traditional claim to territory as far as Cape Cod, there is reason to believe that he came to the conference prepared to draw a line in the vicinity of Stamford.<sup>36</sup>

The conference ended in the Treaty of Hartford, which was duly signed on September 17, 1650. The treaty was ratified by the States-General of The Netherlands in 1656, but never by the English, for to do so would have recognized the legal existence of the New Netherlands. The treaty was to bind New Netherlands and the United Colonies, however, pending other settlement by the home governments. According to the boundary settlement of the treaty, all land on Long Island to the east of the westernmost point of Oyster Bay was assigned to the English, which gave them about two-thirds of the island. On the mainland, a line was drawn from the west side of Greenwich north for twenty miles, from which point it was to be extended as subsequently determined by the respective governments providing that the line would not be within ten miles of the Hudson River. Neither nation was to build within six miles of this line, although Greenwich, under the Dutch, and Stamford, under the English, were to remain. The Dutch were to retain the fort at Hartford as a trading agency, but within narrow, specified bounds.<sup>37</sup> The arbiters could but recommend maintenance of the *status quo* on the Delaware and hope that proceedings there "may bee carried on in love and peace till the right may bee

further considered and Justly issued either in Europe or heere by the two States of England and Holland.”<sup>38</sup>

New Haven defined *status quo* on the Delaware to include efforts at furtherance of her occupation as well as its mere existence. In 1651, she sent fifty men to settle in the area. When they arrived in New York, Stuyvesant challenged New Haven’s treaty interpretation by promptly placing the leaders in prison. He released them only when they agreed to abandon the project.<sup>39</sup> The Confederation refused to give active support to New Haven’s project, and it was not renewed until knowledge was received of the outbreak of the first Anglo-Dutch war.<sup>40</sup>

Colonial truce became more tenuous in the face of the enmity of the home governments. In 1651, Cromwell’s parliament attempted to curtail Dutch trade by passage of the first Navigation Acts. Stuyvesant was instructed to collect duties on English ships whether they came from England or from her colonies. Some colonists took advantage of the war to secure letters of marque authorizing them to seize Dutch ships for their own profit. Spies, smugglers, and privateers infested Dutch waters. Thomas Baxter, who held citizenship in both New Amsterdam and New Haven, traversed into piracy as he preyed indiscriminately on both Dutch and English shipping. A variant on such depredations was the land action of Captain John Underhill, who used his dubious letter of marque as authorization for action against the Dutch Fort of Good Hope at Hartford. After his contribution in the Pequot war, he had returned to Boston to bask in the glory into which, it was said, he had wormed and squirmed his way, until the Fathers there adduced a strong tinge of heresy and relieved themselves of the embarrassment of his amorous inclinations. He settled in Stamford for a time. Then, after the Confederation had declined to aid the Dutch against the Indians, Underhill extended his services. He lived in Hempstead until he was banished in 1653 for advocating that Dutch tyranny be overthrown for English rule. He was now eager to save the English from destruction by his capture of Fort Good Hope. After seizure, he sold it not once, but twice, which was hardly less disconcerting to the purchasers than that Connecticut subsequently claimed it in 1654.<sup>41</sup>

Connecticut and New Haven pressed for war by the United Colonies against New Amsterdam. They rehearsed all the old difficul-



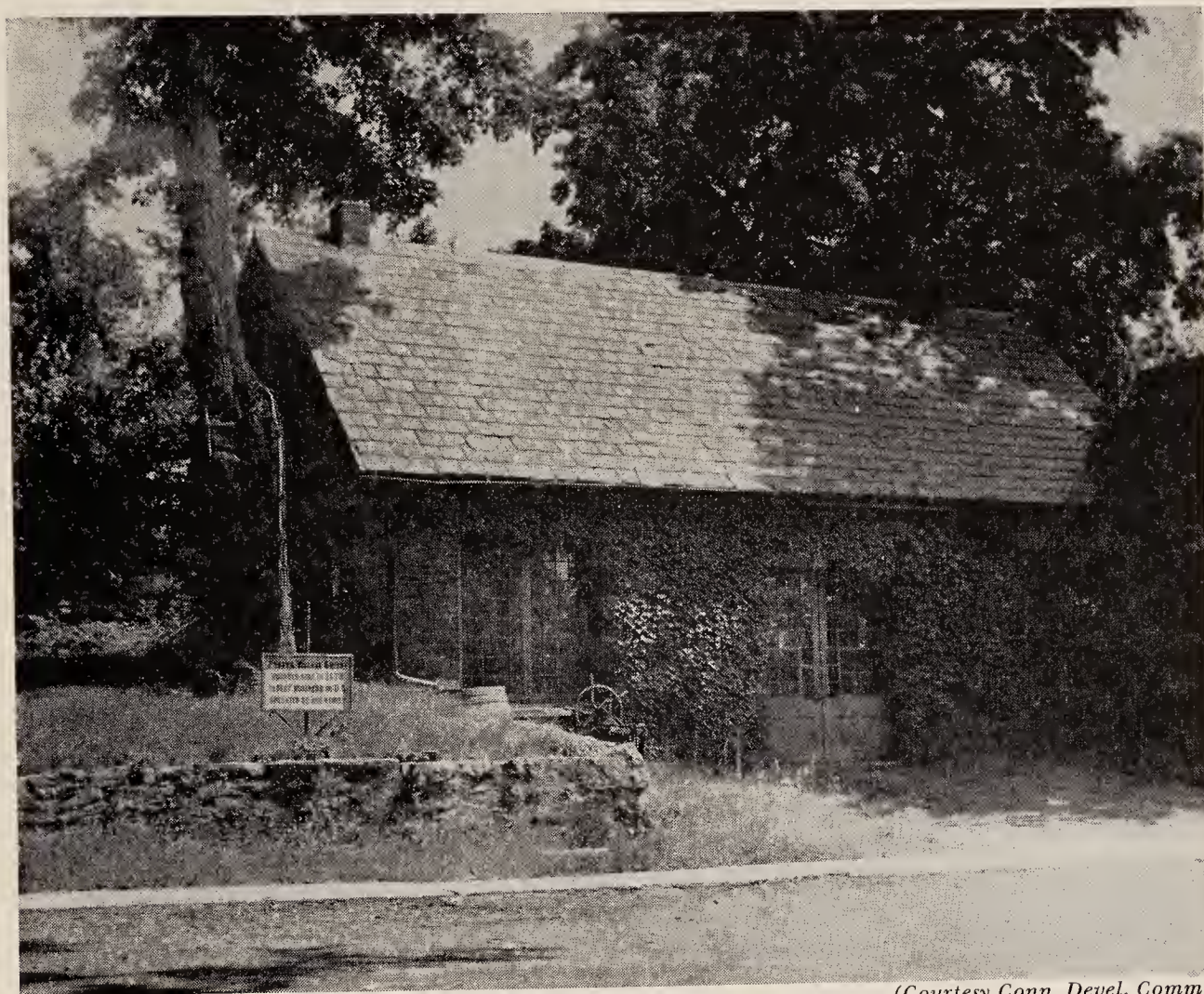
ties and included the rumor that the Dutch were planning to engage the support of the Indians in a war of extermination against the English. Concrete evidence was difficult to produce. The Massachusetts General Court appointed its own committee to examine the data received by the Confederation. It was found that the Commissioners themselves were in disagreement over a recommendation and it was considered wise to consult the clergy. The clerical conclusion was that evidences of danger were not conclusive enough to justify war and the Massachusetts Court decided that "they did not understand they were called to make a present war against the Dutch."<sup>42</sup>

Colonial discussion now centered around the issue of states' rights.<sup>43</sup> The articles of agreement of the United Colonies had provided that the federal body was authorized to "heare, weigh and dtermine all affaires of our warr or peace."<sup>44</sup> There had been many indications of Massachusetts' tendency for independent action, however, and the other colonies had had no choice but to defer to her wishes.<sup>45</sup> Its control of two-thirds of the potential fighting force allowed Massachusetts to have its way. As Thomas Hutchinson remarked, "Where states in alliance are greatly disproportional, in strength and importance, power often prevails over right."<sup>46</sup> When Connecticut and New Haven inquired as to Massachusetts' position in the event that Connecticut and New Haven engaged in war, together with those who might volunteer from elsewhere, Governor Hopkins offered his personal view that the deputies of Massachusetts would not approve "the shedding of their subjects' blood, except that they could satisfy their conscience that God called for it."<sup>47</sup> There was little that Massachusetts stood to gain at the moment from a war with the Dutch: her trade was comparatively independent of New Netherlands and her frontiers had not so advanced as to be menaced by the Dutch. Massachusetts presented to the Confederation the interpretation that all questions concerning offensive wars would have to be referred to the separate legislatures before Confederation recommendation would be binding on the separate colonies.<sup>48</sup> With this denial of the very principle of union, Massachusetts had nullified the Articles of Confederation.

Massachusetts altered her view on the desirability of immediate war when, in the summer of 1654, ships of the British navy arrived at



Boston harbor to vindicate the rights of the English. Preparations for war were made hastily. Commissioners were appointed to plan the campaign against the Dutch. Three hundred volunteers were to come from Massachusetts, 200 from Connecticut, and 133 from New Haven.



(Courtesy Conn. Devel. Comm.)

ESSEX—PRATT'S SMITHY

These were to be joined by 200 men from the English ships. It seemed possible that a force of 900 foot and a troop of horse would move against New Netherlands on June 27, 1654, the day appointed for the march to begin. On April 22, 1654, however, knowledge was received of the peace between England and the Netherlands.<sup>49</sup>

Despite the turn of events, New Haven continued efforts to develop the Delaware territory. Her venture of 1654-55 was different from earlier attempts which had been primarily experimental, exploratory,



and commercial. It was now attempted to establish a permanent colony which would have definite ties with New Haven. The importance attached to the venture is revealed, not only by the fact that the leading men of the colony were invited to participate in it, but also because the General Court agreed that if the settlement should prosper the court might sit alternately at New Haven and on the Delaware. It was anticipated that eventually the seat of government might be moved there.<sup>50</sup> In the end, New Haven's ambitions were thwarted. Not only were her attempts at expansion on the Delaware to fail, but also she was to lose the contest with Connecticut for leadership in southern New England.

### *The Charter of 1662*

The restoration of the Stuarts was of great concern to New Haven and to Connecticut. The passage of a navigation act in the first year of the restoration indicated that England intended an aggressive policy toward the Dutch.<sup>51</sup> It was feared, however, that Charles II intended an equally aggressive effort at controlling the colonies. Therefore, the Navigation act was regarded as unfavorable restriction, even though it did not in fact hurt commerce. The dangers considered implicit in the restoration seemed especially imminent to Connecticut and to New Haven who did not have indisputable charters from the Crown. New Haven's title rested solely upon the blessings of Massachusetts and upon Indian titles. Connecticut had come to realize the legal weaknesses of the Warwick deed. Neither colony had secured any title clarification or substantiation.<sup>52</sup>

News of the restoration stimulated Connecticut to immediate action. At the suggestion of Gov. John Winthrop, Jr., the magistrates agreed to recommend to the next General Court, that of March, 1661, the necessity of informing Charles II that the residents of Connecticut were his faithful subjects and of requesting the continuance and confirmation of such liberties and privileges as were essential for the comfortable and peaceable settlement of the colony. At its meeting the Court, in addition, authorized the expenditure of £500 in the effort to secure confirmation of Connecticut's title. Two months later Winthrop submitted to the Court drafts of an address to the Crown and of a letter to noble personages who might be favorably inclined toward the colony.

A committee was appointed to work on these drafts and to draft a petition for a patent.<sup>53</sup>

Christ's Kingdom in New Haven made no immediate overtures to the Stuart monarch, and in the first months of panic actually negotiated with the Dutch concerning inclusion within the bounds of their ancient enemy.<sup>54</sup> When Leete, the Deputy Governor of New Haven, learned of Connecticut's plans, he proposed to Winthrop that Connecticut's efforts be extended into an effort to secure a patent for the two separate and distinct colonies. Apparently, John Davenport did not completely agree with Leete's assumption that once Connecticut secured such a charter she would permit New Haven to continue in the same independence as before.<sup>55</sup>

New Haven's reactions and Leete's decision to cast the colony's lot with Connecticut may have been colored by a conviction that suspicion of her role in the escape of two of the regicides prejudiced her chances in direct negotiation. On the accession of Charles II, the House of Commons ordered the arrest of all those who had sat in judgment on his father. Two members of this High Court of Justice, Major General Edward Whalley and Major General William Goffe, who were among those who had signed the death warrant, escaped to Boston. They were well received until the imposition of the death sentence on 29 regicides and the offer of a reward of 100 pounds for the apprehension, dead or alive, of the two in New England indicated that England was sternly disposed in the matter. Massachusetts did not favor arresting the two and issued such a warrant only after their departure to the more remote area of New Haven.

New Haven proved insecure because of the receipt there of the King's proclamation and the arrival of two zealous royalists from Massachusetts with a warrant of arrest. Despite the general knowledge that Whalley and Goffe were in the vicinity and the intelligence provided by certain willing informers, the regicides were successfully concealed. Three days after the royalists left to continue their search in Manhattan, the New Haven General Court declared with Puritan earnestness that it had not been known that the two wanted men had been in the colony and that both magistrates and deputies wished that a diligent search, which would now be made throughout the jurisdiction of the whole



plantation, had been made sooner. By the expedient of showing themselves in public in New Haven, the regicides, who had been living in West Rock cave, relieved Davenport of further suspicion of concealing them. They removed to Milford, in August, 1661, where they remained with friends for the next two years.<sup>56</sup>

Although Governor Endicott of Massachusetts spared no opportunity to warn New Haven of the danger in which they had placed their own colony and the other colonies of New England, the extent to which the incident endangered New Haven's security is not clear. There is some reason to believe that the concern of Davenport and Leete magnified the affair. In the colony's and their own defense, they elaborated a rationale in which they submitted the idea that the royalists were prevented from apprehending the regicides "by god's overruling Providence," and that the same Providence could have foiled the King's men if they had "bine in London, or in the Tower."<sup>57</sup> There is no evidence of any attempted retaliation against the colony or its leaders because of the incident, although New Haven's hope for independence was doomed.

John Winthrop, Jr., excellently represented Connecticut in England. It was a time when Puritans were out of favor. Intense opposition stemmed from Samuel Maverick who, from New Amsterdam, had written Lord Clarendon in an attempt to check Connecticut's negotiations. Clarendon, in turn, greatly influenced Sir Edward Nicholas, the principal secretary of His Majesty's government. It was to the latter that Connecticut's petition was handed.<sup>58</sup> Winthrop took up residence in Coleman Street where he was among friends and he used his connections in England to counteract the antipathy of those in power. He made use of his acquaintances in the Royal Society. Robert Boyle, the chemist, was especially important, for Boyle had been appointed to membership in the new Council for Foreign Plantations. There is some evidence to suggest that he had Nehemiah Bourne, a former New England merchant and a friend, buy the support of Colonel Thomas Middleton, another member of the plantation council. Winthrop, also, worked through Lord Saye and Sele, Sir Thomas Temple, and William Brereton. Winthrop was successful in securing approval of the petition on April 23, 1662.<sup>59</sup>

This charter restated and sanctioned the procedures and practices which had been followed in internal affairs in Connecticut. The colony continued to be administered by a Governor, Deputy Governor, and Assistants, chosen, as before, by the Freemen of the colony. The colony was authorized to exercise police power, provide for defense, regulate commerce, control immigration, Christianize the Indians, elect officers once annually, and hold sessions of its Assembly twice annually. The oath of fidelity was still required of the Freemen and all Admitted Inhabitants.<sup>60</sup>

It was in an altered relationship with England that the charter changed Connecticut life. Connecticut was now a legally recognized corporate government. It was invested with a common seal, and its settlers were invested with the liberties and responsibilities of Englishmen. It held its land free and commonsafe, owing no quit rent to the Crown. However, the oath of supremacy was to be administered, the laws of the colony could not be at variance with those of England, and all writs were to be in the King's name. As an officially recognized colony, the relation of Connecticut to England could no longer be ignored as it had been in the Fundamental Orders.<sup>61</sup>

The boundaries defined by the charter showed the effectiveness of the "crowding on" of settlement. Connecticut's limits extended from the Narragansett Bay on the East, to the Massachusetts line on the North, to the Sound on the South, and to the South Sea on the West. To Connecticut, these bounds wiped out all other claims to the area, such as that of New Haven. Even among Puritans, there were those who settled more effectively than others.<sup>62</sup>

#### *Union of New Haven and Connecticut*

New Haven, whose territory was included within the boundaries drawn for Connecticut, indicated to the Commissioners of the United Colonies, that she could not yet see that the patent would be acceptable. Connecticut notified the settlements along the Sound that they fell within the province of Connecticut and invited them to send deputies to the General Court. A majority of the inhabitants of Southold on Long Island and factions in Guilford and Stamford were discontented



with the narrow franchise and strict rule of New Haven, and accepted Connecticut's invitation. Constables were appointed for the mainland towns, including Greenwich, and a Commissioner appointed for Long Island. Connecticut offered liberal terms to New Haven. Connecticut promised not to disturb churches of New Haven and to receive New Haven's Freemen as Freemen of the colony. She indicated further that she would choose a proportionate number of Assistants from within limits of New Haven, and create a county organization for New Haven, Milford, Branford, and Guilford. Within this county, powers of judicature would be exercised with appeals heard by a Court of Assistants sitting at New Haven. Each town of the county would be permitted to send two representatives to the General Court. New Haven refused to accept union.<sup>63</sup>

Belatedly, New Haven contemplated a direct appeal to Charles II, through John Scott who had fought for Charles I and whose father had advanced £14,300 and given his life in the same cause. This appeal was to be made, however, only if satisfactory clarification could not be obtained from John Winthrop, Jr., who was still in London. It was felt that he had understood that Leete's request had been that Connecticut secure a single patent to cover New Haven, but not to control it. It was felt that the charter and Winthrop had not intended to replace two separate and independent jurisdictions by one. Winthrop dispatched a letter to John Mason, the Deputy Governor of Connecticut, which satisfied Scott, but followed it by a second which explained the tone of the first. In both, however, he urged that the union not be forced. The agents of New Haven felt it unnecessary to place their plea before the Crown.<sup>64</sup>

Winthrop, Jr., opposed coercion of New Haven, but he favored its union with Connecticut. The main point at issue between New Haven and Connecticut was the qualifications of Freemen, for which New Haven wished to retain her church membership requirements. Connecticut had not made political franchise dependent upon Congregational Church membership. Technical conformity did not prevent a system of certification as to religious character nor property qualifications which achieved the same ends and this seems implicit in her explanation to New Haven. New Haven was not satisfied and again flirted with the

idea of direct negotiation and with the possibility of removal to New Netherlands.<sup>65</sup>

The directors of the Dutch West India Company had directed Stuyvesant to encourage the migration of New Haveners to the extent of permitting them to bring their laws and of waiving certain appeals in criminal cases. Stuyvesant, in the name of authorities of New Netherlands, but not of those of The Netherlands, agreed to give settlers from New Haven practical autonomy and began negotiations with Indians to secure land titles for them. It seemed certain that New Haven would remove. The conquest of New Netherlands in the name of the Duke of York, however, ended this plan. Connecticut's "liberal" Congregationalism was deemed preferable to the Duke's Anglicanism.<sup>66</sup>

The threat of possible rearrangements, posed by the arrival of royal commissioners who were to inquire into the state of New England, was a further pressure toward union. In addition, New Haven's treasury was nearly empty, for the secessionist towns refused to pay rates. On August 11, 1664, the magistrates and General Court requested Connecticut to assert its claim to the New Haven Colony on the terms offered in previous negotiations and to defend the colony against any contrary disposition by the royal commissioners. It added the qualification "untill the Comissioners of the Colonies doe meete." The Commissioners on meeting merely advised that agreement be reached lest sad consequences follow their contentions. Connecticut considered that the New Haven colony had come to an end and appointed officers in its several plantations. However, it was not until the Royal Commissioners set boundaries dividing all lands between Connecticut and the Duke of York without recognition of New Haven that a General Court on December 13 voted to submit to Connecticut and consummate union. On January 7, 1665, the town of New Haven surrendered.<sup>67</sup> The union had taken place without the formal consent of the Confederation, which its Articles had stipulated as necessary, and submission of the terms of the union had, also, been refused. It was accepted by the other colonies of the Confederation, however, and their responsibilities discharged by including in the revised Articles of Confederation, the statement that the union "shall alwaies be Interpreted by their owne Concession and not otherwise."<sup>68</sup>



The English conquest of New Netherlands had not solved matters entirely to the satisfaction of New Haven, nor did it constitute, for Connecticut, a satisfactory end to its conflict with the Dutch. Stuyvesant, with the naïveté which had characterized New Haven's faith in John Winthrop, Jr., expected Connecticut to honor the boundary arrangements stated in the Treaty of Hartford. Connecticut was very dilatory in the matter. In desperation, when no confirmation was made, Stuyvesant agreed to cede Westchester to Connecticut on the understanding that there would be no coercion of the English towns on the western end of Long Island. That Connecticut's delay in fixing a boundary constituted a reluctance to give up any territory within her charter grant became clear to Stuyvesant. Winthrop, Jr., favored the conquest, if need be, of such of these areas as fell within New Netherlands, and, as was opportune, he attempted to exercise presumed charter rights. Winthrop, Jr., cooperated in the English conquest of New Netherlands. Connecticut, however, felt sharp disappointment that the disposition of these lands defined the grant to the Duke of York in a manner to deprive Connecticut of Long Island and even of title to western Connecticut.<sup>69</sup>

## NOTES—CHAPTER IV

- <sup>1</sup> Dorothy Deming, "Settlement of the Connecticut Towns," Conn. Ter. Comm. Publ., pp. 31 ff.
- <sup>2</sup> *Ibid.*, p. 21; and see Dorothy Deming, "Settlement of Litchfield County," Conn. Ter. Comm. Publ., p. 15. Miss Deming discusses Connecticut settlement in terms of four stages.
- <sup>3</sup> Calder, *New Haven Colony*, p. 76; Deming, "Settlement of the Connecticut Towns," pp. 23-24, 44-46.
- <sup>4</sup> *Ibid.*, pp. 44-46; Percy Wells Bidwell and John I. Falconer, *History of Agriculture in the Northern United States, 1620-1860* (Washington, 1925), pp. 49-58; Leonard W. Labaree, "Milford," Conn. Ter. Comm. Publ., pp. 3-4.
- <sup>5</sup> Deming, "Settlement of the Connecticut Towns," pp. 31-33; *Conn. Col. Rec.*, I, pp. 165-66, 207, 209, 216, 235, 240, 298, 301, 306, 362.
- <sup>6</sup> Deming, "Settlement of the Connecticut Towns," pp. 49-52.
- <sup>7</sup> Labaree, "Milford," pp. 4-24.
- <sup>8</sup> Deming, "Settlement of the Connecticut Towns," pp. 52 ff. See below, Ch. VI.
- <sup>9</sup> Fox, *Yankees and Yorkers*, p. 47.
- <sup>10</sup> *Ibid.*, p. 46. See above, Ch. I.
- <sup>11</sup> *Conn. Col. Rec.*, I, pp. 68, 565; Brodhead, *History of New York*, p. 295.
- <sup>12</sup> *Conn. Col. Rec.*, I, pp. 51, 52, 68, 75. See above, ch. I.
- <sup>13</sup> Andrews, *Colonial Period*, II, p. 118.

- <sup>14</sup> Calder, *New Haven Colony*, pp. 57, 61-63.
- <sup>15</sup> *Ibid.*, pp. 64-65; Brodhead, *History of New York*, p. 324; Fox, *Yankees and Yorkers*, p. 52.
- <sup>16</sup> *New Haven Col. Rec.*, 1638-49, p. 57.
- <sup>17</sup> Calder, *New Haven Colony*, pp. 57-60; Fox, *Yankees and Yorkers*, pp. 58-61.
- <sup>18</sup> Brodhead, *History of New York*, p. 296.
- <sup>19</sup> Brodhead, *History of New York*, p. 322.
- <sup>20</sup> *Ibid.*
- <sup>21</sup> *Ibid.*, p. 340.
- <sup>22</sup> Fox, *Yankees and Yorkers*, p. 48.
- <sup>23</sup> *Records of the Colony of New Plymouth*, IX, p. 13; Hosmer, ed., *Winthrop's Journal*, II, pp. 141-42; Fox, *Yankees and Yorkers*, p. 78.
- <sup>24</sup> Brodhead, *History of New York*, pp. 361-63.
- <sup>25</sup> Calder, *New Haven Colony*, pp. 186-87.
- <sup>26</sup> *Ibid.*, pp. 54-63. New Haven strengthened and extended her holdings on Long Island and along the Connecticut shore. Connecticut, which had sought to stimulate interest in the Pequot territory as early as 1641, finally established New London in 1646. Farmington was founded and organized as a town in 1645. In 1647, traders were attracted to the area that was organized as the town of Mattabesect and, in 1651, renamed Middletown.
- <sup>27</sup> Calder, *New Haven Colony*, pp. 164-165.
- <sup>28</sup> Brodhead, *History of New York*, pp. 478-82; Fox, *Yankees and Yorkers*, pp. 79-80; Calder, *New Haven Colony*, pp. 164-65; *Records of the Colony of New Plymouth*, IX, pp. 107-108, 113-15, 149; *New Haven Col. Rec.*, 1636-48, pp. 264-66, 333, 335.
- <sup>29</sup> Brodhead, *History of New York*, pp. 478-82; Fox, *Yankees and Yorkers*, p. 80.
- <sup>30</sup> *Ibid.*, p. 77; *Records of the Colony of New Plymouth*, IX, pp. 107-108; *Conn. Col. Rec.*, I, pp. 114, 163, 197.
- <sup>31</sup> *Records of the Colony of New Plymouth*, IX, pp. 113-15, 148-49.
- <sup>32</sup> Fox, *Yankees and Yorkers*, pp. 80-81.
- <sup>33</sup> *Ibid.*, p. 82.
- <sup>34</sup> *Records of the Colony of New Plymouth*, IX, pp. 171-90.
- <sup>35</sup> Quoted in Fox, *Yankees and Yorkers*, p. 82.
- <sup>36</sup> *Ibid.*, pp. 82-85.
- <sup>37</sup> *Records of the Colony of New Plymouth*, IX, pp. 171-90.
- <sup>38</sup> *Ibid.*, p. 189.
- <sup>39</sup> Calder, *New Haven Colony*, pp. 191-92.
- <sup>40</sup> *Records of the Colony of New Plymouth*, IX, p. 214; Calder, *New Haven Colony*, pp. 192-93.
- <sup>41</sup> Fox, *Yankees and Yorkers*, pp. 85-90.
- <sup>42</sup> *Records of the Colony of New Plymouth*, X, pp. 35-77.
- <sup>43</sup> Fox, *Yankees and Yorkers*, p. 99.
- <sup>44</sup> *Records of the Colony of New Plymouth*, X, p. 5.
- <sup>45</sup> See above.
- <sup>46</sup> Fox, *Yankees and Yorkers*, pp. 99-100.
- <sup>47</sup> *Ibid.*, p. 101.
- <sup>48</sup> *Records of the Colony of New Plymouth*, X, pp. 74-77.
- <sup>49</sup> Calder, *New Haven Colony*, pp. 198-202.
- <sup>50</sup> *Ibid.*, pp. 204-205; Andrews, *Colonial Period*, II, pp. 171-72.
- <sup>51</sup> Fox, *Yankees and Yorkers*, pp. 104-106.
- <sup>52</sup> Andrews, *Colonial Period*, II, pp. 184-86.



- <sup>53</sup> *Ibid.*, p. 131; *Conn. Col. Rec.*, I, pp. 361-62, 367-68; "The Charter of Connecticut, 1662," *Conn. Ter. Comm. Publ.*, pp. 1-22.
- <sup>54</sup> Calder, *New Haven Colony*, pp. 216-219.
- <sup>55</sup> *Ibid.*, pp. 220-21; *New Haven Col. Rec.*, 1653-65, p. 521. *Conn. Col. Rec.*, I, pp. 369-70, 579-85.
- <sup>56</sup> L. Aiken Wells, "The Regicides in Connecticut," *Conn. Ter. Comm. Publ.*; Calder, *New Haven Colony*, p. 221.
- <sup>57</sup> *Ibid.*, p. 225.
- <sup>58</sup> Andrews, *Colonial Period*, II, p. 133.
- <sup>59</sup> *Ibid.*, pp. 130-31, 135; Calder, *New Haven Colony*, pp. 227-28, 230; Bernard Bailyn, "The New England Merchants in the Seventeenth Century" (unpublished doctoral thesis, Harvard, 1953), p. 295.
- <sup>60</sup> Andrews, *Colonial Period*, II, p. 137-42.
- <sup>61</sup> *Ibid.*, p. 137.
- <sup>62</sup> *Ibid.*, pp. 141-42.
- <sup>63</sup> *Ibid.*, pp. 286-87, 288; Calder, *New Haven Colony*, pp. 232-34.
- <sup>64</sup> *Ibid.*, pp. 236-38.
- <sup>65</sup> *Ibid.*, pp. 238-39.
- <sup>66</sup> *Records of the Colony of New Plymouth*, X, pp. 299, 304; *Conn. Col. Rec.*, I, pp. 415-16; *Collections* (Conn. Hist. Soc.), XXI, pp. 145-46; Calder, *New Haven Colony*, pp. 242-46; Fox, *Yankees and Yorkers*, pp. 109-10; and see above, ch. III.
- <sup>67</sup> Calder, *New Haven Colony*, pp. 249-52; *Records of the Colony of New Plymouth*, X, pp. 318-19.
- <sup>68</sup> *Ibid.*, pp. 323-51; Calder, *New Haven Colony*, p. 253.
- <sup>69</sup> Fox, *Yankees and Yorkers*, pp. 107-116; Andrews, *Col. Period of Am. Hist.*, II, pp. 192-193; Trumbull, *History of Connecticut*, I, pp. 216-23.

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## Chapter V

### The Economic Order

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A CERTAIN COMPATIBILITY between the developing capitalistic system and the economic ethic of Protestantism is undeniable whether one concludes that Calvinism merely articulated the principles of an already existent economic order<sup>1</sup> or whether one believes that the system effectuated the stated tenets.<sup>2</sup> Emphasis upon this interaction and upon the classification of Puritan immigrants as bourgeoisie, however, has impaired a just estimate of the balance that existed between the mediaeval and conservative elements and the more progressive tendencies in the initial thought of 17th century Connecticut.<sup>3</sup> The Puritan portrait has been overlaid by a picture of a burgeoning capitalist drawn with libertarian concepts which are grossly anachronistic. Economic thought of the 17th century, including that of the Puritans, had not approached the individualistic practice nor articulated the libertarian tenets of a later period. It still emphasized authoritarian regulation as necessary to the achievement of desirable economic order. It is only as the practical application of initial theory was modified on the basis of experience that the tenets of the modern American economic system emerge.

#### *Initial Thought*

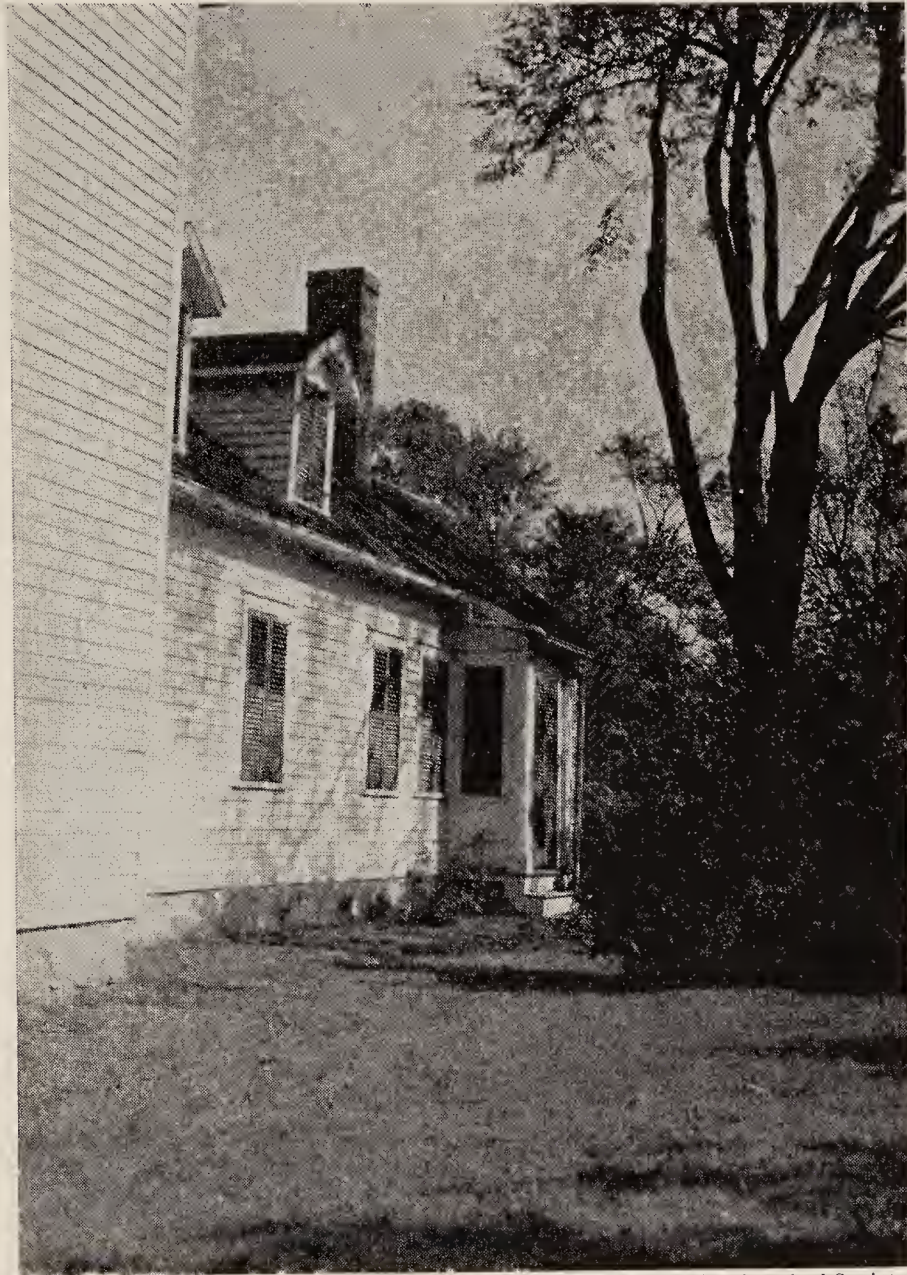
Advanced 17th century theory had but begun to elaborate the principle that protection and regulation within the larger area of the total state should supersede protection and regulation by the guild unit within a city. Although the mercantilistic concepts being shaped were prefatory to modern economics in their concern with monetary problems and encouragement of commerce and manufacturing, they were



still mediaeval in the idea that matters should and could be regulated in great detail on the basis of a determination of absolute right subserving the general welfare.<sup>4</sup> At the time, the only challenge that possibly represented an advance over mercantilistic theory was the rising crescendo of criticism against royal grants of trade monopoly. This seemed to stem from English port towns and to be directed principally against London merchants.<sup>5</sup> The apex was reached in the law of 1624 by which monopolies were presumably restricted. There was little change in practice, however, for much the same arrangements as before passed under the guise of protection for new inventions, or contribution to public interest, or necessity in securing order. In spite of the provisions of the new law, trading companies developed oligarchic administrative controls and monopolistic practices.<sup>6</sup> For the most part, the conviction that national power and economic strength were interdependent inclined both government and adventurer to cooperate in establishing a system in which, in effect, the state gradually arrogated the guild's regulatory powers and made controls nationally applicable.

In the 17th century, however, while the new mercantilistic theory of state control was gaining acceptance, the guilds were still operative and their more conservative theory still enjoyed wide currency. The guilds had modified their internal power structure to become limited corporations of capitalists, excluding journeymen from advancement, but protecting masters from any organized protests of journeymen. They were undemocratic and exclusionist to the point of encouraging the intermarriage of their children, although efforts absolutely to limit marriage to daughters of liverymen, or members, had failed. Guild purpose was still to secure special benefits and privileges for members and to control workers and the sale of goods. These objectives had been subverted solely to the masters' interests and no longer offered opportunity and protection to subordinates. Rules were relaxed, for example, to allow the employment of greater numbers of journeymen and apprentices, so that, in effect, masters were capitalistic employers. The individual was subordinated to this general welfare to the extent that the authority of the companies, which was maintained by force or fine, extended to regulation of spiritual and temporal matters in a detail indicated by the typical bans on beards and football. There was free

enterprise only in the sense that each member worked independently on his own capital, but there was not freedom from regulation nor free competition. Yet since the guilds, as reshaped, conformed to the capi-



*(Angell Collection)*

*(Courtesy Norwalk Historical Society)*

NORWALK—GOVERNOR FITCH HOUSE, SOUTH SIDE

talistic interests of the masters, these opposed further modification and resisted encroachment upon their privilege by the Crown or by unorganized new trades. Inevitably the guilds, though capitalistic, became the bulwark of one of the more conservative strands in the economic thought of the age.<sup>7</sup>



At the time, too, although capital had invaded agriculture and was enabling the enclosure movement, the economic arrangements of the feudal manorial system still predominated and still received general sanction. The application of capital to agriculture had benefited only a limited number of landlords, leaving the majority, like John Winthrop, impecunious and debt ridden, and leaving the masses displaced and insecure.<sup>8</sup>

The modification of mediaeval economic theory by the Reformation allowed numerous traditional concepts and many conventional applications to remain intact. It was not held that the objective of life had changed: there was still a distinct element of otherworldliness, for life on earth was still regarded merely as preparation for a more important afterlife. That which was changed by the Protestant theory of calling was the definition of the proper way in which to prepare for life after death. Now, one worshipped through his work. The "ringing and abiding conviction" of the Puritan as to the theory of calling was articulated by John Cotton in *The Way of Life* in 1641. Personal property was a right based on natural and divine rights as well as on human, for everyone had a talent of God. However, private property was merely a temporary trust, for God was the absolute Lord of all things. The temporal possessor, then, was in the position of a steward, and, so, obligated to labor to increase that which was entrusted to him. Rewards, however, were gifts of God, not consequences of industriousness nor of conditions. Thus, a balance should be maintained between religious and material ends. One should dedicate oneself to making a profit, but should then practise an asceticism, an abstinence. The result may have been, as Weber emphasizes, to increase the aggregations of capital, but it served, too, to moderate fluctuations which otherwise might have rapidly altered status. The Puritans held, with Calvin, that after success one should still be content in his calling: one could best serve God by remaining in the station to which he was divinely appointed.<sup>9</sup>

Puritan economic theory was still premised on a belief of fixed divine principle by which things were right or wrong intrinsically, not relatively, and right presumably subordinated individual to public good. The very responsibility to have a calling was a personal obligation to

general welfare. As John Cotton said, "though thou hast two thousands to spend, yet if thou hast no calling, tending to publique good, thou art an uncleane beast." Yet the definition of "public good" was flexible and the Puritans had accepted modification of the mediaeval concepts of just price and usury. William Ames, the outstanding theorist of Puritan Congregationalism, had tended toward an acceptance of the market price as the just price in his writings on the subject. There was some confusion among the Puritans as to this interpretation, however, and the Puritan divines and magistrates in America hardly went so far as Ames in their definitions of just price. Both agreed that interest was permissible on business loans though not on charitable loans. People were free when they willed to do right, and if such free will were not evident, their conduct should be guided by minute regulations which would be enforced for the "publique good."<sup>10</sup>

It was with the operation of capital within this 17th century framework of merchantilistic, guild, manorial, and Protestant theory and practice that the Puritans were familiar. There is some evidence to indicate that the settlers in New England and Connecticut represented its more conservative strands, because of the position which they occupied in English society. It has been emphasized conventionally that the Puritan leaders and many of the other settlers were largely drawn from the middle class that was developing in England. This new middle class was still close to its peasant origins and far from attaining the wealth, power, and status, or the concomitant aggressive individualism of later centuries. The failure to understand this constitutes an error of evaluation that dims understanding of the concepts accepted by the settlers. In examining the backgrounds of the settlers, one must distinguish, too, between the names of sponsors selected from "gentlemen of honor and blood" to bolster the prestige of charter applicants and the more modest names of those contemplating emigration. The Dorchester merchants who were interested in fishing privileges in North America, for example, since they were "relatively inconspicuous," deliberately interested people of position and influence in the project to enhance their chances of securing a charter.<sup>11</sup>

Most of those who came, as is indicated in the extant passenger lists, had an agrarian background. The largest numbers of passengers were



listed as husbandmen. Husbandmen varied in their material position, some transporting two or more servants and some traveling alone with meager goods. No sharp line divided the husbandman from yeoman, who, also, farmed and generally had a freehold, but was a step higher on the scale. There were a number of yeomen listed as well. Servants, who composed the second largest group, seemed, also, to have essentially rural backgrounds and rarely came with a merchant. A rural distress apparently made both servant and husbandman migrate, with the husbandman paying the more unfortunate servant's fare in return for his promise of labor. Many practising tradesmen, plowrights, carpenters, sawyers, and joiners and an occasional miller or cooper, also, had a rural background, in that they had practised their trade in the country districts. Gentlemen were, also, listed and became leaders among the settlers. They apparently, for the most part, bridged the gap between gentry and bourgeoisie, with roots in the yeoman class, as William Pynchon, or having made the transfer from trade as in the case of Winthrop. Acquisition of land, education in a university, and a "good" marriage were conventional phases in this transition.<sup>12</sup>

In general, the agrarian background, in the case of gentleman as well as of husbandman, had involved unpleasant consequences from the operation of capital in agriculture. These immigrants were interested, therefore, in maintaining a system which would secure each person in holdings and privileges adequate for maintenance. They were seeking the security of the close-knit community that existed for common benefit which had been offered by mediaeval manorial theory. They were largely out of sympathy even with the degree of liberalization in mercantile theory. They were quick to suspect and condemn malpractices in trade and quick to feel that imposition of a just price was justified by the subordination of individual to general welfare. Their attitudes are of particular importance, because from the gentlemen of rural backgrounds came the magistrates in Massachusetts and Connecticut. They were able and did impose the restrictions which they felt desirable.<sup>13</sup>

In the overall Puritan migration settlers with mercantile backgrounds were exceptional, but included weavers and tailors in some number as well as clothiers, drapers, glovers, curriers, shoemakers, and

tanners. Only occasionally was a mercer, chirurgion, lawyer or merchant listed. Those with mercantile backgrounds seem to have been relatively prominent among the Connecticut settlers. Some of those with landed backgrounds had some additional connection with com-



*(Courtesy Mills Coll., Conn. State Lib.)*

LEBANON—THE TRUMBULL WAR OFFICE

merce. John Winthrop, Jr., who became Connecticut's outstanding adventurer, was descended from a member of the Merchant Clothiers association. His father, though he had owned a manor, also held an inferior magistracy in the Court of Wards and Liveries, where he supervised the inheritances of minors. Many of those of the original Dorchester settlement moved to Connecticut, bringing the same interests and mercantile background. Conspicuous, too, are the settlers of New



Haven, who represented those with associations in the Livery Companies of London and, more rarely, connections in the trading companies.<sup>14</sup>

The attitudes represented by the mercantile backgrounds of these groups, however, did not constitute bold defiance of the prevailing conventions of economic organization. No merchant considered to be of first rank in England came as a settler. Mathew Craddock, whose name is connected with the migration, and who held lands in Connecticut, managed them through an agent and never personally came. Theophilus Eaton was the most important to come to Connecticut and one of the two most important merchants in the entire migration. Eaton was worth 4,000 pounds when he converted his properties before leaving England. Most of those with mercantile backgrounds were small tradesmen and shopkeepers in London. Their ideas had been formed in the associations of London. The London Livery companies, as the guilds there came to be called from the time of Edward III, are used as the classic example of how capital had reshaped the guilds and subverted them to the exclusive interests of the capitalistic guild masters. The connection of individual settlers with the trading companies is more difficult to substantiate, but is generally assumed to have existed in some instances as perhaps in that of John Davenport, minister of New Haven. The members of the established trading companies were stoutly defending themselves against the charges made by the opponents of monopolies.<sup>15</sup> These were not the people quarreling with association or with the status arrangements institutionalized in the company, guild, and manor.

The theory brought over was neither mediaeval nor modern, but transitional—in its initial application, established practices were followed closely, as can be seen in the various specific phases of Connecticut's economy. The model city seemed to differ less from Augustine's than from a modern metropolis. Practice, however, was altered in time, when the arrangements made no longer seemed adequate. This is indicated, first, by the impossibility of enforcement of regulations which failed to receive consent. Attention should be given to the gradual modifications, for they indicated the emerging of the modern concepts, and principles of modern capitalistic theory.<sup>16</sup>

*Land Division*

The tracts or "town grants" on which settlements were made in Connecticut varied in area from four to ten square miles. Near the center, a site was selected for a village green and streets were laid out on both sides of it. Along these streets, home lots were granted. These were usually large enough for a house, outbuildings, and a feeding enclosure, but they varied in size generally even within the same settlement. The next step in land division was roughly to survey several hundred acres which were divided into numbered strips and distributed among the settlers. Land was distributed proportionately upon the basis of the size of an individual's estate and the size of his family, with special favor often granted to the minister or magistrate of the community. The size of grants was modified, too, by a process of "sizing," or evaluation of holdings. One securing comparatively poor land or land located inconveniently or at a distance from the town would receive a larger grant.<sup>17</sup>

Although there was less inequality of distribution early in the seventeenth century than subsequently, there was considerable disparity even in the size of the early holdings. In New Haven, some were as small as 10 acres and some as large as 1,000. Out of 123 grantees, there were nine persons whose holdings were more than 300 acres and 32 whose holdings ranged from 100 to 300. In Hartford, the largest farm under the first distribution among 121 proprietors was 169 acres; 41 were from 1 to 10 acres; and 70 grants, from 10 to 20 acres.<sup>18</sup> Professor Labaree, in a careful analysis of Milford land records, has demonstrated how a community, in its late land distributions, gave progressively greater amounts of land to those with the largest holdings and largest taxable estates, markedly discriminating in favor of the wealthier owners. The disparity in land holdings increased considerably in the last quarter of the century.<sup>19</sup>

Land retained for the proprietors' use in common, the proprietary commons, was not accessible to all inhabitants. The original proprietors and their heirs constituted a privileged group in the town. They not only controlled the proprietors' commons, but all the undivided lands in the town. They granted allotments to those permitted to settle within the community and forbade the sale of land to new inhabitants except



with the approval of the community. Proprietors' meetings were distinct from town meetings and after the proprietors did not constitute practically all of the population this became an important distinction. The next century saw a struggle between the proprietors and the towns for control of the town commons.<sup>20</sup>

The town commons were fields open to the use of all inhabitants for pasturage or procurement of wood. The town commons included all land not reserved to the proprietors and not allotted to later comers. Sometimes by paying the town a small rent, persons, frequently former servants, were allowed to build upon this land. Hartford, for example, granted certain cottagers lots which they were to have only at the "town's courtesy" with liberty to fetch wood and keep swine or cows on the commons.<sup>21</sup> The commons were gradually diminished through allotment for various uses though some land was still held in common through much of the next century. In Waterbury, for example, when many of the proprietors were moving away, land and a propriety of £40 in the commons was voted to bachelors to encourage them to stay. Typically the grants were conditioned on occupation with a house of not less than 16 x 16 within four years.<sup>22</sup>

It seems that the influx of population had served to use up the land in large part. In addition, some magistrates and some officers of the colonial militia were rewarded for their services by land grants. Only a little over a year after its founding the original inhabitants of Wethersfield were complaining of their straightened accommodations. When the plea for permission to settle in Connecticut had been made in Massachusetts, it was on the grounds that elbow-room was needed. John Cotton had remarked that people seemed ever to grow longer elbows. The pressure for additional land was a factor in the establishment of new communities.<sup>23</sup>

In its parcelling of strips for farming and commonage of pasturage, the system closely followed the arrangements in use on mediaeval manors. It was not adopted merely to follow a pattern, but rather because it was felt that the system offered the greatest possibilities of balancing an individual personal proprietorship and a communal social interest.<sup>24</sup> The method assured that each person had a certain amount of each type of land. In addition, an attempt was made to allocate in

proportion to an ability to develop it as indicated by the estate (capital) and numbers (labor) controlled.<sup>25</sup> The subordination of individual interest to general welfare would be specifically indicated by the minute regulations governing the use of the commons, regulations which, with those of Massachusetts, constitute America's first formal conservation. In Connecticut, for example, timber felled must be carted together or improved into pipe staves or other merchantable commodities within a month after cutting.<sup>26</sup> Attempts made to mitigate the difficulty of controlling breeding were indicated by a number of regulations even though little attention had been paid to this problem in England at this time. Windsor and Guilford appointed committees to view calves and determine which should be raised as bulls. In 1673, the General Court appointed three men in each plantation to keep rams and provided that none should run at large. The breeding of horses became important to the economy, for horses were an important item of export, and in 1674 it was required that all horses over a year old and under 13 hands high should be gelded. In spite of the difficulty of controlling breeding and disease, there was an economy of labor in common herding.<sup>27</sup>

There were many disadvantages inherent in the system not fully recognized in England at the time or for a while in America because of a lack of knowledge of such efficient agricultural methods as crop rotation. Land was wasted because of the necessity of allowing roads to give access to each strip; the narrowness of the strips prevented cross-harrowing or cross-ploughing; the distance from home caused loss of time; and there were restrictions on the choice of crops and the individual timing of agricultural processes.<sup>28</sup>

By 1673, recognition of some of the advantages of holding lands in one unit were implicit in the General Court order providing that grants of land to particular persons, which had not been taken up and laid out, were to be taken out in one entire piece "in a comely form" except by special liberty from the court. The particular problem causing this change was the difficulty of maintaining clear boundaries under the old system.<sup>29</sup> As the disadvantages became evident, and as an interest in agricultural experimentation developed, there was a tendency, too, for lands to coalesce through marriage, purchase, and inheritance.<sup>30</sup>

Although the tendency for a holding to coalesce into a single unit



continued, the tendency toward centralization of holdings in a few hands was counterbalanced by the customary method of dividing inheritances. Instead of following the English common law practice of primogeniture, the Puritans in Massachusetts and in Connecticut practiced equal division of land among all children, except that a double share was sometimes given to the eldest son.<sup>31</sup> In addition to conforming to the Mosaic Code, where the eldest son received a double portion,<sup>32</sup> this accorded to the concept of equity which had operated in the initial land division, and to local land conditions. The labor of the younger sons was needed in the cultivation of the initial grants and could be held, as Governor Talcott explained at the time, only if these sons shared in the inheritance. The resultant increase in a concentrated population most rapidly improved the land and furnished the greatest defense.<sup>33</sup>

#### *Agricultural Conditions*

Productivity under the system of land holdings, at the existent stage of agricultural technique, and in view of the poor quality of the soil, was inadequate to meet successfully the food needs of the colony. The shortage was intensified and the general economy of the colony imperiled with the outbreak of the Pequot War. Each of the towns was directed to provide the necessary provisions, and men were levied from each of the plantations. This meant that, in the face of an unusual demand, men were absent from the fields during growing season. Prices rose; and a general tax, assessed to pay the cost of the conflict, added an additional burden. A particularly severe winter further endangered the food supply.<sup>34</sup>

During the war, to provide for the public good, the colony sought to regulate the corn trade. Lest an excessive number of traders advance the price, general trade with the Indians was prohibited. A trading expedition was organized to operate in the Narragansett country. In addition, William Pynchon was directed to supply the river plantations with 500 bushels of corn. He was reluctant to accept this monopoly with its regulated price proviso because it did serve to reduce profits. He defaulted in the delivery of the corn, allegedly because permission to use the only available canoe for its transport was refused. Pynchon was





*(Courtesy Mills Coll., Conn. State Lib.)*

GUILFORD-WHITFIELD STONE HOUSE, BUILT IN 1639  
BY REV. HENRY WHITFIELD. NOW THE  
HENRY WHITFIELD STATE  
HISTORICAL MUSEUM

judged to have been derelict in his duties as a magistrate by not having impressed the canoe and made delivery. He defended himself with the question "If magistrates . . . practice such a power . . . [over] men's properties how long would tyranny be kept out?" Nevertheless, he was fined 40 bushels of corn for failure to act in the public good. Pynchon articulated the strongest opposition to state grants of monopoly with



their restraints and taxes, as being against the public good and liberty of free men, especially when the court also "gave him" an additional monopoly of the fur trade on the river, for which he was to pay a tax on each skin. He already effectively controlled the trade which was thus bestowed on him as a monopoly. The Puritans justified monopoly only when it served the public good and was of short duration, but there was broad flexibility as to what exclusive privileges might be in the public interest. Also, certain of these passed, not as monopolistic grants, but as orderly regulation.<sup>35</sup>

Connecticut found it difficult to recover from the Pequot wars. The colony was more dependent than had been realized upon the Indian for trade and for food and this trade languished until the confidence of the Red Man was regained. Also, Connecticut had benefited from the expansion of population in eastern Massachusetts as well as in Connecticut: there is little doubt that the newcomers had kept the colony supplied with foreign goods and specie. Immigration ceased suddenly with the beginning of the Puritan Civil War in England. Both the local market created by the immigrants' needs and the supply of specie closed temporarily and prices fell. There was need to readjust the economy.<sup>36</sup>

In an attempt to meet its difficulties the colony again relied upon government regulation. A series of colonial controls were introduced in February, 1640, which related to agricultural production. Taxes and debts were made payable in corn, and the exchange rate for wampum was lowered from six a penny to four a penny and twopence. The tanning of leather was strictly regulated. The colony itself sent out a vessel to secure badly needed cotton for distribution to the several towns "according to the division of the last Country Rate." To provide for payment for the cotton, the felling of timber and the sale of pipestaves were placed under strict control of the court.<sup>37</sup>

The lack of a staple crop, however, remained the fundamental economic problem of the colony. "Not knowing how this Commonwealth can be long supported unless some staple Comodity be rayased amongst us,"<sup>38</sup> the court sought to encourage the planting of hemp and flax. For this purpose, inhabitants were encouraged to seek new lands. They were to be granted 100 acres of tillable land for each team, along

with 20 acres of meadow and an appropriate amount of upland, on the provision that twenty acres be improved the first year and 80 acres the second. As always, failure to improve the land would result in dispossession by the court.<sup>39</sup> Every family was ordered to plant at least one spoonful of English hemp seed the first year, and an increased amount the second. When it was complained that the seed could not be procured, it was ordered that those who refused to sell the seed would have to plant an amount equal to that which they refused to sell. Hemp was never raised in quantities sufficient for it to become an export item. Flax culture flourished in virgin soil and enough was raised to make it figure in domestic use.<sup>40</sup>

### *Commerce*

The commerce of Connecticut in colonial times was insignificant. Since she had no staple crop to provide a dependable export, Connecticut had to attempt to produce small surpluses in a variety of items in order to secure an export cargo. Beaver skins were marketable in England and many of these were sent to Boston for transshipment. Pipestaves were in demand in the West Indies. Provisions, including grain, biscuit, and pork, were sent to the West Indies and to Newfoundland. Livestock, in which horses became increasingly important, figured, too, in the trade to the West Indies. Shoes are known to have been included among the less usual exports. With these assorted cargoes, Connecticut regularly engaged in coastal trade, in a triangular trade that included the West Indies, and in direct trade to the Islands. However, the products of a subsistence economy were insufficient to provide the basis for extensive trade and Connecticut was unable to build up a capital, such as Massachusetts accumulated through the export of the cod. This, in turn, impeded the financing of voyages, including even the procurement of the local surpluses and the provision of vessels.<sup>41</sup>

Transportation was inadequate, and although ships were built locally, especially at New Haven and New London, colonial Connecticut was not an important ship building center. A first ship was built in 1645 and smaller craft before that date. Because of the bar at the Sound, New Haven could build only the smallest vessels. New London became



a strong competitor for New Haven, beginning, soon after settlement, to build boats to be used in the carrying trade and to be sold at foreign ports. These ships, however, were, also, comparatively small. Andrews suggests that the larger vessels used by the colony were never built locally, but were procured from the Netherlands or from England.<sup>42</sup> In 1688, Connecticut possessed only nine vessels, and, in 1708, she had no more than 20, engaging 100 seamen. Thus, she could not have had an extensive carrying trade.<sup>43</sup>

The inadequacy of shipping was a factor forcing Connecticut goods to be dumped on the markets of neighboring colonies where prices were driven down. The protests of these colonies forced Connecticut in 1644, to place the sale of grain under government control. The court designated those merchants who were to carry on the trade, fixed the price of the commodity, and deferred the payment for it until the merchant's ship returned, when payment was to be made in good English goods. For the next two decades, Connecticut attempted enforcement of this law, reenforcing it in 1654, and again in 1662, by provisions to force outgoing vessels to stop at the river's mouth and submit to search.<sup>44</sup>

These difficulties had not been anticipated at the time of settlement. New Haven had experienced and wealthy merchants among her settlers who, on the basis of their confident expectations of carrying on a large commerce, built the best houses of the period and a long wharf. They established trade relations with Boston, Delaware Bay, New Amsterdam, and the Barbados. English products were desired by the Dutch, but they imposed a duty of ten percent on all imports which had not paid an export duty in the United Netherlands. Although the merchants of New Haven proved rather skillful at evading the duty, they found that it restrained their trade. New Haven did not benefit to any considerable extent through the trade to Barbados, although the first trip was made in 1647 and relations were continued throughout the colonial period. She found that she could not profitably meet the competition of the eastern colonies in a trade based on an exchange in which fish was such an integral item. Her locally salted alewives could not compare to cod. Such was the disappointment of the New Haven settlers that they were somewhat tempted by Cromwell's in-

duancements, proffered about 1651, to remove to Jamaica, and, in 1654, considered transfer to Delaware where the colony had already expended £1,000 for Indian titles and explorations for trading posts. In spite of ambition, New Haven remained basically an agricultural colony.<sup>45</sup>

New London quickly rivaled New Haven. New London established trade with coastal towns, and, until 1700, maintained a triangular trade with Newfoundland and the Barbados, as well as direct trade to the Barbados. New London quickly became the point of deposit for Connecticut River towns. The British government was partial to New London, and by 1680 it was regarded as the best port of the colony. The potential even of the commercial center of the colony, however, was limited by the general lack of capital, and the trade of the colony remained subordinate to agriculture.<sup>46</sup> At the end of the century, Connecticut was reporting that she still had no merchants whose estates were sufficient to enable them to import such stores of European goods or West Indian produce as might broaden trade and enable Connecticut to sell to other colonies. Since manufactured goods still came primarily through Boston instead of through direct importation, Connecticut was drained of specie instead of enabled to build up a capital based on imports trade.<sup>47</sup>

Some indication of the extent of trade is provided by the customs duties collected for a decade on all exports from the river's mouth. This tariff was imposed when Connecticut purchased Saybrook from George Fenwick in 1644 to provide fortified protection for the mouth of the river. It was stipulated that Fenwick would receive, for ten years, a small duty on corn, biscuit, livestock, and beaver skins exported from the mouth of the river.<sup>48</sup> Although there was controversy over the legality of this tax, it seems to have been collected without interruption.<sup>49</sup> Contemporaneous estimates placed the amount collected during the decade at £1,600.<sup>50</sup>

A fairly accurate account of the magistrates' evaluation of the economy of Connecticut seems to have been contained in answers given in 1680 to the queries of a committee of the Privy Council. Connecticut had not long before received her charter and was not disposed to irritate the authorities unnecessarily. To the extent that her answers can be corroborated they seem dependable. It was asserted that there was so



little foreign commerce that there was no need for a vice-admiralty court. Few vessels came to the colony which did not first go to New York or Massachusetts. Consequently, the number of foreign merchants in Connecticut were few. Most of the commodities continued to be transported to Boston, with only small quantities being sent to Jamaica, Barbados, or other Caribbean islands, and rarely to Madeira. Connecticut explained her lack of commerce by a shortage of capital and the high cost of labor. She emphasized her commercial potential, pointing out that the harbor of New London could accommodate ships of 500 tons; those of New Haven and Fairfield, ships of 300 tons; and those of other coastal points and Hartford, anything under 100 tons. It was recommended that trade could be improved by making the ports at New London, New Haven, Fairfield, and Hartford free for "20, 15, or ten yeares."<sup>51</sup>

In 1662, Connecticut had rescinded all of her former orders imposing customs and had ordered "that there shalbe free trade in all places in this Colony."<sup>52</sup> Connecticut's avowed advocacy of free trade had followed Charles II's arrangements for the supervision and regulation of trade. There is general agreement that the trade restrictions had little deleterious effect upon Connecticut's commerce. To some extent they protected the trade, providing it with expanded markets; for the rest they were loosely administered and largely evaded. Since Connecticut had no direct connection with England or the continent, she could have been affected only by the plantation duty of 1673 which taxed intercolonial trade. Although the object of this duty was not revenue, but the prevention of evasion of other acts, it entailed the appointment of royal customs officials and had to be paid in silver which was scarce. Even before the passage of this tax, however, the restrictions were unpopular in Connecticut. In 1665, as well as in 1680, she had petitioned for free ports.<sup>53</sup>

The greatest advantage to commerce before the century's end apparently came because of the extent to which privateering and piracy flourished. The provisioning of such ships in exchange for prize goods was engaged in extensively by the coastal towns of all of the colonies. Governor Fletcher accused Connecticut of being quite busy in this illicit trade and of being considerably enriched by it. In obedience to royal

proclamations, Connecticut passed laws in 1683 against privateers and pirates. There was little public sentiment against a trade that secured otherwise unavailable foreign wares at cheap prices, and prosecution of offenders was difficult when the juries would not convict them.<sup>54</sup>

### *Internal Trade*

Internal trade was similarly hampered by a lack of capital and an inadequacy of transportation. The Connecticut River provided a transportation route to the river settlements, but as new inland settlements developed, difficulties increased. The roads were little more than Indian trails for a long period, though cart bridges were more frequently mentioned after King Philip's war. New London connected itself with Norwich in 1670 and with New Haven and Waterbury in 1686. The New Bay Road was established after 1690. The roads were poor, but it should be remembered that pack horses were still used for internal trade in Europe at the same time.<sup>55</sup>

Connecticut, recognizing that the "mainteineing of high wayes in a fitt posture for passage . . . is not onely necessary for the comfort and safety of man and beast, but tends to the proffitt and advantage of any people," tried to provide for this in her code of 1650. Each town was to appoint a surveyor to oversee the mending and repairing of roads. He was given power to impress carts and persons for a minimum of two days a year and for as many more as the surveyor considered necessary. Fines were established for refusal or neglect by a person whose team or services were requested and for the surveyor's negligence in not reporting such default.<sup>56</sup> By May 20, 1668, it was necessary to add a five pounds fine for refusal to accept appointment as surveyor without a justification satisfying the Assistant or Commissioner of the town.<sup>57</sup>

Travel became extensive enough by 1644 that each town was required to have an ordinary for provisioning and lodging of passengers and strangers and their horses. So that a convenient house of entertainment would not result in excessive tippling by inhabitants, innkeepers were restricted to serving half a pint of wine to one person at one time, and persons were restricted to a half-hour's stay which was not to be at an unseasonable time or after nine o'clock at night. Fine, double and treble fines, whipping, stocks, and prison were penalties for offense and



repeated offenses.<sup>58</sup> A New Haven act required that 12 horses be kept in 5 towns for public use at fixed rates.<sup>59</sup>

Transportation difficulties were mitigated somewhat by establishment of a weekly market in Hartford in 1643 for "all matter of commodities that shall be brought in, and for catell, of any merchandise whosoever." After 1645, a fair was held on the second Wednesdays of May and September. The problem of distribution was mitigated considerably by these, and, also, by the general store, which seems to have replaced fairs in the inland towns.<sup>60</sup>

The report of 1680 did not indicate an increase in internal trade. At that time there were twenty merchants in the colony who exchanged products for clothes, primarily in Boston. The Indian trade had become inconsequential and there was none at all with the French.<sup>61</sup> Internal trade was supplemented by the peddlers, though the extent of their volume of traffic is indeterminable. Early in the period, however, they were beginning to arouse the criticism and resentments which are reflected in the composite stereotype. Connecticut, for example, fined "David the Jew" 20s. in 1659 for going into houses when heads of families were absent and trading with the children for provisions.<sup>62</sup> Andros' law of 1687 concerning peddlers is prefaced by the charges that they went about vending sundry wares, and that which was unserviceable, at excessive rates, to the great detriment of the settled trade of the country. This law forbade anyone to trade outside his own town except merchants and factors coming from beyond the seas.<sup>63</sup> The crescendo of opposition from merchants against the multitudes of foreign peddlers, which reached an apex in the next century, indicates that the itinerant traders were not reduced in number, the vacuum being filled by foreigners, or, one can not refrain from surmising, by those assuming the guise of a foreigner.<sup>64</sup>

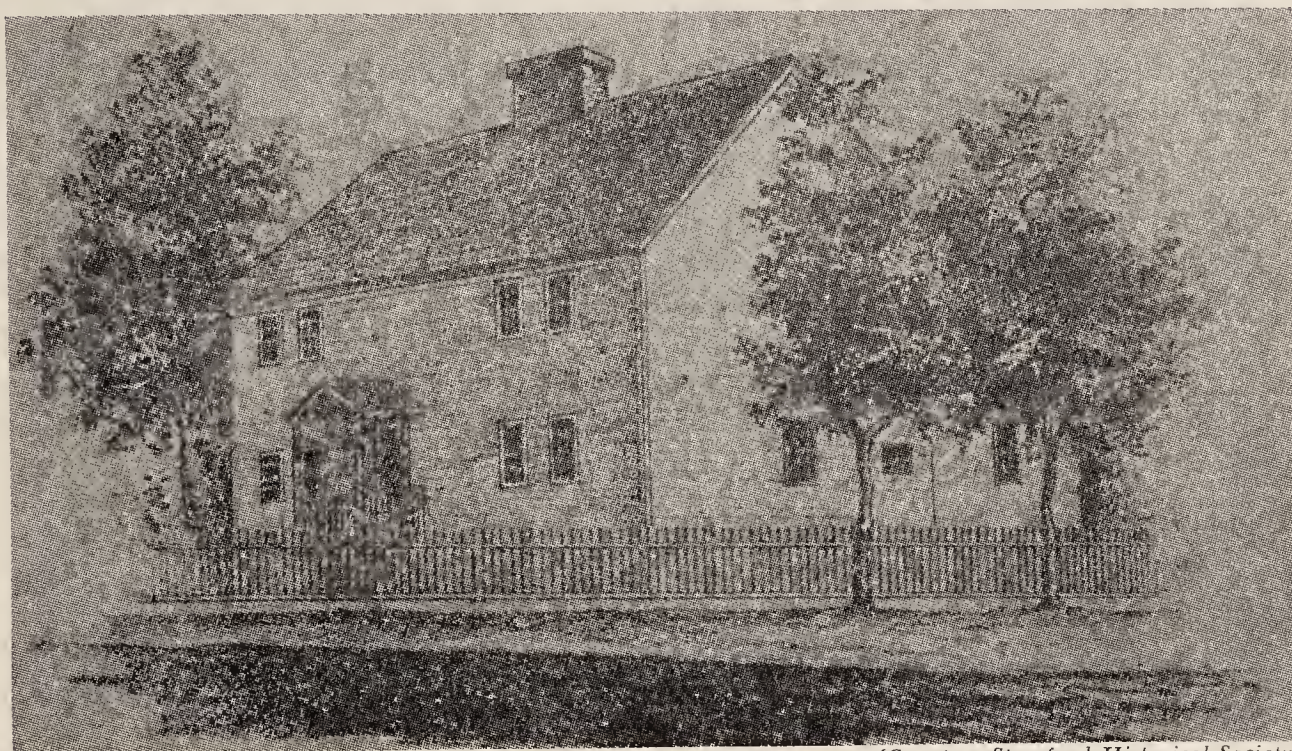
### *Industry*

Connecticut attempted to regulate industry into existence both to find an export and to gain a closer approximation to self-sufficiency. That general benefits might accrue from a lack of restriction was inconceivable in the 17th century milieu. From the beginning controls were introduced by which the individual was theoretically subordinated



to the general welfare. Thus, labor could be impressed for particular service in the interest of public need. This arrangement in connection with road maintenance has been mentioned above. In similar vein, in 1670, in order to encourage sheep-growing, Connecticut ordered every person to work one day a year clearing underwood to benefit pasturage.<sup>65</sup>

Since, in practice, it was oftentimes assumed that the general wel-



*(Courtesy Stamford Historical Society)*

STAMFORD—CAPTAIN WEBB'S TAVERN, USED AS HEADQUARTERS BY  
GENERAL LEE IN THE REVOLUTIONARY WAR

fare would be served by an individual's success, regulation many times took the form of a subsidy, including group support, and aid, to an individual for general benefit. At Stamford, Connecticut, in order to establish a gristmill, the town made a dam, then Samuel Swane built the frame and body for £51, then those of the town "fit to do such work" completed the other parts. The property was then sold as a private venture to two men for £74.10.<sup>66</sup>

Needed trades were encouraged in various other ways. Land was customarily granted to those who would establish needed trades. To encourage Winthrop's sawmill at New London, he was granted the tim-



ber from three or four swamps.<sup>67</sup> Monopolies, too, were sometimes allowed. In 1691, for example, the General Court offered a ten year patent providing a monopoly for making salt for public sale to anyone with adequate skill, experience, and estate for the undertaking.<sup>68</sup> Even under the law passed in England in 1624 when criticism of monopolies was at its height, monopolies were still permitted in the case of invention, or in the name of order and price control, as in the case mentioned of Pyncheon, and, also, of the grain merchants.

Tax exemptions were a more frequently used form of encouragement. In 1647, the gristmill which the colony had assisted William Fowler in establishing was freed from all rates.<sup>69</sup> New Haven, in its enthusiasm to attract John Winthrop, Jr., exempted all those entirely engaged in the iron works and their estates from rates.<sup>70</sup> Three years later, Connecticut followed New Haven's example and freed the iron workers from taxation for seven years.<sup>71</sup> In 1666, the colony did not levy any taxes on ships' sails on the stocks.<sup>72</sup> Exemptions from impressed service and military training were granted, too, to certain trades, as in 1686 in the case of Francis Thresher and his servant for as long as they followed their employment of making cloth serge.<sup>73</sup> The quality of manufactured cloth was considered high.<sup>74</sup> At times pleas for aid on the grounds of public or semi-public service were refused, as in the case of those requesting a loan for seven years to build a vessel to export masts for the royal navy.<sup>75</sup>

In part legislation was passed in an attempt to enforce production and manufacture, especially of fibers into cloth. This became especially important after England established an export duty on woolen cloth. Apparently the homespun industries supplied a significant amount of fabric for home consumption, but none for export, although weaving was not confined to the household, for as early as 1669 a Windsor inventory referred to "yarne at the weavers." In 1684 a New London inventory listed "four looms and tacklings: a silk loom." The silk loom is evidence of skill. Fulling mills for the finishing of homespun were established in various towns from an early date.<sup>76</sup>

Certain regulations were pointed toward the protection of the consumer by a control of prices and standards. The size, weight, and price of bread, for example, were specifically regulated.<sup>77</sup> Inspectors were

appointed to examine pipestaves and to observe the steps in the processing of leather. The various processes in this endeavor were carefully defined in an attempt to secure the desired quality. The final product could be offered for sale only if sealed by an inspector. Through maintenance of these standards, it was hoped to force a specialization of skill and a separation of craft.<sup>78</sup> Standards were established for specific skills and amended at various times. The appointment in October 1677 of a committee "to treat w<sup>th</sup> the most prudent and consciencious of each severall calling, and to prepare such orders and instructions for the regulateing and stateing of trades and workmen," was an attempt to secure acceptance of the regulations, "so as that all oppression may be removed from vs."<sup>79</sup> As late as 1692, leather inspectors were empowered to search for shoes or boots made of leather tanned by the shoemaker and so unsealed.<sup>80</sup> When there was still difficulty with the quality of leather, it was ordered that no one should exercise the trade of tanner unless he demonstrated his ability to the county court and received permission from them to set up vats.<sup>81</sup> Because of the limited market, however, it proved impossible for artisans performing very specialized tasks to support themselves in one locality. Too, the absence of a quantity of skilled labor made it necessary for every settlement to utilize the secondary as well as the primary skill of the mechanics.<sup>82</sup>

Regulations were intended, primarily, to control products for home consumption, and, incidentally, those provided for foreign export. Magistrates were aware that a solution to Connecticut's commercial and economic plight lay in the conversion of raw products into a more finished state. An effort in this direction was indicated when, in 1641, the order restraining the cutting of timber was removed. Instead, it was provided that cut timber should be improved into pipestaves or some other merchantable commodity within one month after felling. Individual sales were forbidden so that the staves could be used for bringing in provisions. The price was fixed at £5 per thousand, for the reason, as it was explained, that Mr. Hopkins, to whom they were to be sold, could "provide shipping and aford to give that price." This industry continued throughout the century, and the staves and heads were sent to foreign ports for use in casks and barrels. There are no figures on the extent of the export, though the order that those who prepared



the staves were responsible for transporting them to the river's mouth underlined one of the obstacles to the development of Connecticut's economy. New Haven was able to export shoes on one occasion, but for the most part few finished articles were manufactured in sufficient quantity for export.<sup>83</sup>

Although manufactures hardly developed during the century to the extent that might have been expected from the effort expended in promoting them, slight beginnings were made. Town histories record the presence of carders and weavers, sawyers and millers, smiths and tanners, shoemakers and brick burners and the like. There is no doubt that some of them developed an excellent craftsmanship, but it seems unlikely that many of them produced for a market beyond their immediate community.

### *Labor*

Connecticut, as the other colonies, was plagued by the lack of an adequate labor supply. Frederick Jackson Turner suggested that the large amount of free land operated generally to reduce the number of laborers available in America. Enforced restrictions on informal occupation of land made it less easily available in New England than in other regions. However, regulations to insure that a servant's term of service would be completed, were considered necessary in Connecticut. In part this legislation was motivated by the fear that freed servants would become a public charge, and former masters were made responsible for seeing that those set at liberty were employed. In part, however, it was the scarcity of labor that caused the reluctance to see terms ended—for the master's well-being took precedence over the premature advancement of servants. Servants, said Ames, should be faithful and obedient to bad masters as well as to good ones, for the primary ground of the duty was not the merit of the masters but the ordinance of God, and if they ran away from their masters they were thieves.<sup>84</sup> And so, to prevent any "stubborne, refractory and discontented searuant and app<sup>r</sup>ntices" from withdrawing themselves to improve their time to their own advantage before the end of their term of service, they were to be recaptured at the public charge and to serve their previous masters an additional three times the length of their absence. It was provided further

that no servant should give, sell, or truck any commodity without license from his master, for whom he should work the whole day.<sup>85</sup>

The term "servant" applied to various kinds of service, from that of agents attending the business of their principals in England, through that of farm and house workers and apprentices and those contracting their labor, to that of slaves. The indentured servant was one of the most important groups of laborers. Debtors sometimes worked out fines, sometimes sold their services for debt. Many worked out passage money in apprenticeship. The magistrates of the colony were empowered to place persons with no permanent place of abode where their maintenance and employment best fitted. Children of deceased or neglectful parents, or those born to mothers while in jail were placed by the court with a "good family." As Hooker wrote, the magistrates must restrain the "vagabonds, beggars and vagrant persons," settle them and assign them to employment.<sup>86</sup>

Contracts governed care during service and the settlement at the end of the term. Usually some education as well as training in a trade was provided during service. A "freedom suit" and a small gift of money or goods were customary at the end of the term.<sup>87</sup> A servant could be transferred to a new master by court order, if the servant consented and released his former master from his obligation to teach the servant a trade.<sup>88</sup> The conditions of service were often rigorous and the discipline for bad behavior was very severe. The servant-master relationship fell into the category of the relation between superior and inferior. As Ames explained, inferiors owed superiors reverence and submission because of their eminence in degree and inasmuch as they were the cause of the inferiors' well-being. This subjection, it was said, was necessary to the maintenance of order.<sup>89</sup>

Apprenticed labor was inadequate and recourse was had to Indians forced into service and to negro slaves. A Puritan justification offered by Emanuel Downing to Governor Winthrop in 1638 was that this was necessary to the improvement of the country in view of the labor shortage.<sup>90</sup> The Puritans had operated from the beginning on the assumption that their divine right to the land carried the obligation to improve it. In addition, Indian slavery seemed to have as a referent the Greek theory concerning captives. Since Indians were "of the enemy" and



“have submitted to mercy,” they were subject to the disposal of the conquering authority by which they were allocated to selected colonists. If they ran away they were to be disposed of by the master as captives by transportation out of the country.<sup>91</sup> An attempt was made to prevent



*(Courtesy Mills Coll., Conn. State Lib.)*

CORNWALL HOLLOW—GENERAL JOHN SEDGWICK MONUMENT

Indians from shielding runaways by allowing payment of two yards of cloth to an Indian who returned a runaway and by imposing a fine of 40 shillings and a month's imprisonment on an Indian who hid or shielded a runaway.<sup>92</sup> Captive Indians were brought up from the Carolinas until Connecticut forbade their importation in 1715.<sup>93</sup>

There was little sentiment in opposition to the enslavement of negroes, even though they were not “of the enemy.” Negroes appeared

early in the inventories as slaves, as in Mr. Chesther's inventory at Hartford, which listed about 1650, a "neager Maide £25."<sup>94</sup>

Colonists found it very difficult to secure the necessary labor, but found it more difficult to accept the idea that its scarcity should enable free labor to state and command its own reward. Lest laborers be paid too much, wages were specifically regulated by impositions of maximums. The many readjustments of these are an indication of the interest and difficulties involved. In February, 1640, the General Court rescinded regulations concerning work and wages. By June, 1641, however, it pointed out that it had declared its apprehensions about excesses in wages among laborers and artificers and had provided them an opportunity to make a law for themselves. Since the court had found that this had not been done, certain specific prices were again established for the hire of men and animals. Specific penalties were not listed, but the censure or judgment of the court applied both to those who "shall giue or take any greter wages." In Connecticut, the provision was not repealed until mid-century.<sup>95</sup> Although Massachusetts had exacted similar penalties in 1633, it had repealed legislation against those *paying* wages the next year.<sup>96</sup>

### *Currency*

An evaluation of the economic situation of Connecticut is furnished by the scarcity of coinage which was difficult to attract and impossible to retain. Instances of large sums of money in hand were rare. Theophilus Eaton, who was worth £4,000, invested about £3,000 in the colony, and when he died was worth £1,440, yet had only about \$2.00 in money. Only 11 inventories of estates before 1649 showed the presence of money. This scarcity was derived from the exchange of money for provisions at the time of settlement, from the lack of commodities to balance trade or to enable a direct trade with Europe, and from the undervaluation of coins as compared to commodities in official public transactions.<sup>97</sup>

The lack of coins led to the use of commodities in simple barter and to the designation of certain of them as a currency media. Wampum, or shell beads valued by the Indians, circulated as currency as long as the Indian trade was significant. Beaver, grains, livestock, prepared



meats and dairy products were also made receivable, by law, for taxes and all other public debts. These items were known as "country pay." Their acceptance in public transactions was compulsory and they alone could be so received and disbursed. At times it was required that they be acceptable in certain private transactions. New Haven, for example, in 1641, ordered that purchases and wages could be paid in corn or labor, at rates settled by the court, or in cattle. At least for one year, 1640-41, Connecticut made debts payable in Indian corn at 3 and 4 pence per bushel. Regularly, when prices, such as wages for labor, were fixed by the court, they were made payable in designated commodities. Custom, as well, required that commodities be accepted in private payments unless contracts specified a different currency.<sup>98</sup> Other items might by conventional use serve as well as currency even though they lacked official designation. Bullets, for example, apparently fulfilled this role for a period, especially in New Haven. The position of the officially designated commodities differed from others, for their acceptance by the government always assured a means of disposal; and the role of commodities accepted primarily for exchange purposes differed from those used in simple barter to effect an exchange. In the latter case commodities which each party expected to consume could be used.<sup>99</sup>

The intrinsic worth of the commodities employed as a medium of exchange had to be ascertained before they could be used as a standard of value. The designated products were assigned a legal price, at first in terms of the English pound and later in terms of the Massachusetts pine shilling. The commodities passed at legal values in public payments. As a general rule no one was forced to accept in private payments the products at the values set by the colony. The legal prices were higher than the market value. Although the Court attempted to control the supply of products used for money, there were variations in supply of these commodities as well as in the supply of others. These variables, as well as the price fixed by the court, affected market values. It was impossible for the commodities to provide a fixed standard of value.<sup>100</sup>

The prices of commodities were governed according to the currency offered in payment. The General Court conventionally fixed the prices of commodities fifty per cent higher than the money price. When country pay was offered for goods, then, the prices were proportionately

higher than when metallic currency was used. English coins, the Massachusetts shillings, Spanish pieces-of-eight, and Spanish milled dollars, or talers, were used in securing the money price. By the end of the century the pieces of money were customarily weighed before acceptance, because clipping, washing, scaling, filing and the like had so reduced the intrinsic value. Apparently a third price, a trusting price, prevailed in credit transactions.<sup>101</sup>

The lack of currency was offset, in part, by a number of arrangements which obviated its use. At times, land was substituted by the government in payments to soldiers, ministers, and magistrates. In part, labor replaced money in the payment of taxes. Compulsory military service, with each citizen supplying his arms and stores, avoided money pay in most cases. Forced labor for road maintenance, again, avoided the necessity of a currency collection for this item. When forced labor was criticized because laborers did not always appear at the appointed time and because it burdened the poor disproportionately, either money or labor were allowed to meet these obligations. At times, exemptions of certain groups from rates reduced the need of currency, as in the case of the iron-workers exempted. It seems noteworthy that in 1658, in New Haven, it was requested that the deputies request the Court to provide another allowance for public service so that rates might be paid by all men. The feeling that all should contribute to the support of the government was strong. At times, labor was made a means of paying for purchases, also.<sup>102</sup>

The use of credit avoided the use of money. Occasionally several bills were cancelled by one payment, as when a debtor would pay a creditor's bill and so avoid multiple exchange of commodities. This was not restricted to private instances as is shown when the New Haven colony was indebted to the keeper of the town inn, the town was indebted to the colony, and the citizens were indebted to the town for taxes. All of these debts were ordered cancelled if the taxpayers furnished the innkeeper with about forty bushels of wheat and rye. The use of commercial paper was significant, too. Bills of exchange, usually drawn by colonists on deposits lodged with an English agent, circulated widely. Local promissory notes were also used. These were especially prominent in New Haven. They were generally under £50 and fre-



quently prescribed the commodity to be used in payment. They bore no interest, but the creditor could collect damages if they were not paid at a certain time. The payment of the signer to the final endorser was obligatory, with the intermediate endorsers guarded. So where the signer was highly regarded these circulated widely.<sup>103</sup>

The money required for wages was minimal. Indian and negro slaves were not paid wages. An initial expenditure for passage money may have been required to secure an indentured servant, but this was small and sometimes paid in England. Beyond this outlay and perhaps a small sum at the end of the service, the wage was the keep of the person. The same was true of the apprenticed laborer, which not only saved a monetary expenditure for wages, but reduced, too, the necessity of collecting taxes for poor relief.<sup>104</sup>

Although the lack of money was mitigated in these ways, its scarcity was felt to be an impediment to trade and attempts were made to increase the amount in circulation. Mercantilistic thought emphasized the need and value of having "treasure," and English thought<sup>105</sup> in general and individuals such as Antonio Serra of Naples<sup>106</sup> came to the conclusion that this depended on commerce. Many, however, thought that commerce itself depended upon circulation, and that by increasing the quantity of the circulating medium manufactures and trade would be correspondingly increased.<sup>107</sup> This idea was accepted in New England.

It was hoped to prevent specie from leaving the country, and, at the time, it was widely held that this could be accomplished by adjusting exchange rates. That exchange was responsible for a scarcity of coinage had been refuted by Serra in a treatise written and published in 1613, apparently while he was in prison in Naples—for coining.<sup>108</sup> His argument received approbation later, but received little attention from his contemporaries. In a brochure published in Boston and in London, however, John Blackwell had argued, as Serra, that adjusting the exchange would not relieve a scarcity caused by an unfavorable balance of trade.<sup>109</sup> Since prices merely adjusted to the rate, the country would continue to be drained of coinage. The colonists continued to regulate and adjust exchange hopefully. Connecticut continued the over-valuation "for the encouragem<sup>t</sup> of bringing in and keeping of money" until 1697, when such legislation was repealed as detrimental.<sup>110</sup>



*(Courtesy Conn. State Lib.)*

MONTVILLE—MONUMENT IN HONOR OF LIEUT. THOMAS  
LEFFINGWELL IN FORT SHANTOK STATE PARK

Some attention was given, also, to increasing the circulating medium by the issue of paper money. The problem was to find a basis for it. The gamut of ideas included the use of personal credit, land, and deposits of goods as bases. This line of reasoning again arose from the mercantilistic emphasis on “treasure” but was later repudiated as a false extension that really contradicted its emphasis on specie. The proposals arose through a confusion of the meaning of specie and the considera-



tion of it as synonymous with any circulating medium.<sup>111</sup> Of influence in New England was the discussion, by William Potter in his *The Key of Wealth*, published in 1650, of a bank based on personal credit on deposits of goods.<sup>112</sup> This book was familiar to John Winthrop, Jr., of Connecticut who considered a land bank scheme for Connecticut in the 1660's, and elaborated the idea in correspondence to friends in the Royal Society. He believed that a currency needed for an enlarged volume of trade should take the shape of securities, based on property, and issued by a group of individuals forming a bank. The securities would not be redeemable until the end of a stated period. They might be issued for fairly large amounts and possibly would bear some relation to the property increase within the colony. Winthrop's suggestion was not implemented in Connecticut, although as late as 1668 he still hoped to proceed with it.<sup>113</sup> His idea is important, however, for the insight it gives into the colony's economic problems and economic reasoning and for its contribution in the chain of ideas in the branch of theory advocating paper money based on something other than specie.<sup>114</sup>

### *Taxation*

The duty of every Admitted Inhabitant to pay civil and ecclesiastical taxes was explicitly stated in the Code of 1650. Theory held that the duty of every Inhabitant to contribute was derived from the benefits received from the government, and every able bodied male, sixteen years old and above, except magistrates and Elders of Churches, was required to pay a specified poll tax. The additional amount one paid was determined by ability, as gauged by the amount of land and other property possessed. One of the most significant features of the taxation lay in this broadening of the land tax base used in England and on the continent into a property tax upon all real and personal property. In the Code of 1650, a scale of rates was established for the taxation of cattle, and the rate of one penny for every twenty shillings held for "all other knowne estate whatsoeuer." Specifically included were the possessions of merchants "visible . . . at sea or on shore," such as ships, merchantable goods, cranes, and wharves. Skilled craftsmen were rated, too, for their "returnes and gaines."<sup>115</sup>

Land, however, was the primary source of revenue. Frederick R.

Jones concludes that New Haven introduced the principle of rating land, not by its value, but upon its probable revenue, and that this principle prevailed throughout the colonial period.<sup>116</sup> It was in this manner that the French land tax, the *taille*, was levied in contrast to the English system where the rating of land according to acreage was replaced by the system of rating it by value, which came to mean, rental value. Rented value would have had no validity in early Connecticut as a basis of estimated value. It would seem that Connecticut taxation might be interpreted as resting upon an estimate of capital valuation rather than upon revenue, but with the values determined, perhaps, with some view of expected productivity in mind. This seems implicit in the provision that the returns and gains of craftsmen would be rated "proportionably unto other men for the produce of their estates."<sup>117</sup> Here the two rates seem to be balanced in terms of value received. This was not made explicit, however, in the Code. It was provided that all land, whether tilled or untilled, was taxable in accordance with a valuation estimated by three or four elected "able Inhabitants" of each town "according to juste valuation."<sup>118</sup>

The system of taxation was not affected by the charter of 1662, and alteration of the system was not considered until 1670. The rough manner of rating land had entailed much inequality in the land tax and pressure for reform led to the appointment, on October 13, 1670, of a committee of seven prominent men of the colony to recommend a just and equal appraisement to the General Court. No action seems to have been taken until October 23, 1678, when the report of a committee composed of entirely different personnel was adopted. By this, there were different rates for each town in the colony, and, in each, the valuation of land varied according to use, quality, location, and position. This complicated classification was not disturbed by Andros and continued in effect through the end of the century.<sup>119</sup>

The early settlers of Connecticut were dedicated men who hoped to realize on earth eternal and immutable principles as they applied their theories of providence to the immediate problems at hand. The practical application to the realities of daily engagement in agriculture, trading, and industry represented an adjustment of the previously developed rationale to Connecticut conditions as certain regulations



became unenforceable and new schemes were proposed. "As to the number of acres settled or unsettled or how much is manurable, we cannot guess," but it was understood that theirs was a "country, full of rocks, swamps, hills, and vales. Most that is fitt for planting is taken up. What remaynes must be subdued, and gained out of the fire as it were, by hard blowes and for small recompense." There recommendations for improvement were specific: adventures, money, and labor.<sup>120</sup>

## NOTES—CHAPTER V

- <sup>1</sup> See R. H. Tawney, *Religion and the Rise of Capitalism* (New York, c. 1926), esp. pp. 3-9, 91 ff.
- <sup>2</sup> See Max Weber, *The Protestant Ethic and the Spirit of Capitalism* (Talcott Parsons, translator) (London, 1930).
- <sup>3</sup> Joseph Dorfman, *The Economic Mind in American Civilization, 1606-1865*, I (New York, 1946), pp. x, 3 ff.; Crane Brinton, *Ideas and Men*, p. 308.
- <sup>4</sup> For a summary discussion of mercantilism, see Lewis H. Haney, *History of Economic Thought* (New York, 1949), pp. 111 ff.
- <sup>5</sup> Bailyn, "New England Merchants," pp. 5-8, 44-52.
- <sup>6</sup> Dorfman, *Economic Mind*, I, p. 5.
- <sup>7</sup> *Ibid.*
- <sup>8</sup> Frederic Austin Ogg and Walter Rice Sharp, *Economic Development of Modern Europe* (New York, 1927), pp. 28 ff.; Andrews, *Colonial Period*, I, p. 387.
- <sup>9</sup> Dorfman, *Economic Mind*, I, pp. 11 ff.; Perry Miller, *The New England Mind, from Colony to Province* (Cambridge, Mass., 1953), pp. 40-43; Weber, *The Protestant Ethic*, p. 177.
- <sup>10</sup> Miller, *New England Mind*, pp. 40-43; Dorfman, *Economic Mind*, I, pp. 12-13; Bailyn, "New England Merchants," pp. 66, 73.
- <sup>11</sup> *Ibid.*, pp. 52-122; Andrews, *Col. Period of Am. Hist.*, I, p. 354.
- <sup>12</sup> Anthony N. B. Garvan, *Architecture and Town Planning in Colonial Connecticut* (New Haven, 1951), pp. 8-10; Bailyn, "New England Merchants," p. 102.
- <sup>13</sup> *Ibid.*, pp. 65-69, 73-81, 125-26.
- <sup>14</sup> Garvan, *Architecture and Town Planning*, p. 10; Andrews, *Col. Period of Am. Hist.*, I, 384, 387; Dorfman, *Economic Mind*, I, pp. 60-61.
- <sup>15</sup> Bailyn, "New England Merchants," pp. 96-97, 122; Dorfman, *Economic Mind*, I, pp. 5-8; Andrews, *Col. Period of Am. Hist.*, II, pp. 146-47; Curtis Nettels, *The Beginnings of Money in Connecticut* (reprinted from the transactions of the Wisconsin Academy of Sciences, Arts, and Letters, Vol. XXIII, January, 1928), p. 1; Calder, *The New Haven Colony*, pp. 7-13, 29-30.
- <sup>16</sup> Bailyn, "New England Merchants," pp. 126-134 and *passim*.
- <sup>17</sup> Bidwell and Falconer, *History of Agriculture*, pp. 51, 52; Labaree, "Milford," Conn. Ter. Comm. Publ., pp. 4-9; William Haller, Jr., *The Puritan Frontier, Town-Planting in New England Colonial Development, 1630-1660* (New York, 1951), pp. 23-27.
- <sup>18</sup> Bidwell and Falconer, *History of Agriculture*, pp. 53-54.
- <sup>19</sup> Labaree, "Milford," p. 10.
- <sup>20</sup> Bidwell and Falconer, *History of Agriculture*, p. 56.
- <sup>21</sup> *Ibid.*, p. 55.

- <sup>22</sup> Weeden, *Economic and Social History*, I, p. 405.
- <sup>23</sup> Haller, *The Puritan Frontier*, p. 105.
- <sup>24</sup> Bidwell and Falconer, *History of Agriculture*, p. 58; Weeden, *Economic and Social History*, I, pp. 50-60; Charles M. Andrews, *The Connecticut Intestacy Law*, Conn. Ter. Comm. Publ., p. 2.
- <sup>25</sup> Bidwell and Falconer, *History of Agriculture*, p. 58; Andrews, "Intestacy Law," p. 3.
- <sup>26</sup> Weeden, *Economic and Social History*, I, pp. 61 ff.; *Conn. Col. Rec.*, I, p. 558.
- <sup>27</sup> Bidwell and Falconer, *History of Agriculture*, pp. 23-24.
- <sup>28</sup> *Ibid.*, p. 58.
- <sup>29</sup> *Conn. Col. Rec.*, II, pp. 200-201.
- <sup>30</sup> Bidwell and Falconer, *History of Agriculture*, pp. 54, 59.
- <sup>31</sup> Andrews, "Intestacy Law," pp. 5-7.
- <sup>32</sup> Deuteronomy, xxi, 17.
- <sup>33</sup> Andrews, "Intestacy Law," pp. 5-7; *Collections*, Conn. Hist. Soc., IV, p. 144.
- <sup>34</sup> Haller, *The Puritan Frontier*, p. 50; Stiles, *History of Ancient Windsor*, p. 42; *Conn. Col. Rec.*, I, p. 12.
- <sup>35</sup> Andrews, *Col. Period of Am. Hist.*, I, pp. 95-96; *Conn. Col. Rec.*, I, pp. 11, 13, 16, 19; Dorfman, *Economic Mind*, I, pp. 48-50; Victor S. Clark, *History of Manufactures in the United States*, 3 Vols. (New York, 1929), I, p. 47.
- <sup>36</sup> Haller, *The Puritan Frontier*, pp. 16, 50; Weeden, *Economic and Social History*, I, pp. 38-43, 139; Miller, *New England Mind*, p. 44.
- <sup>37</sup> *Conn. Col. Rec.*, I, pp. 58-61.
- <sup>38</sup> *Ibid.*, p. 58.
- <sup>39</sup> *Ibid.*, pp. 58-59; Miller, *New England Mind*, p. 50.
- <sup>40</sup> Clark, *History of Manufactures*, I, p. 82; Thomas Jefferson Wertenbaker, *The First Americans, 1607-1690*, A History of American Life, II (New York, c. 1927), p. 76; *Conn. Col. Rec.*, I, pp. 61, 64.
- <sup>41</sup> Roland Mather Hooker, "The Colonial Trade of Connecticut," *Conn. Ter. Comm. Publ.*, pp. 5-10; Henry Bronson, *A Historical Account of Connecticut Money and the Finances of the Revolution* (New Haven, 1865).
- <sup>42</sup> Hooker, *Colonial Trade*, pp. 9-10.
- <sup>43</sup> Curtis P. Nettels, *The Money Supply of the American Colonies before 1720* (University of Wisconsin Studies in the Social Sciences and History), (Madison, Wisconsin, 1934), p. 102.
- <sup>44</sup> Hooker, *Colonial Trade*, pp. 1-5; *Conn. Col. Rec.*, I, p. 116.
- <sup>45</sup> Hooker, *Colonial Trade*, pp. 5-7; Andrews, *Col. Period of Am. Hist.*, II, pp. 167-68, 177-78; Calder, *New Haven Colony*, pp. 162-69; Weeden, *Economic and Social History*, I, pp. 137, 154, 252-53, 408; Nettels, *Money System*, p. 117.
- <sup>46</sup> Hooker, *Colonial Trade*, pp. 7-10 ff.; *Conn. Col. Rec.*, III, p. 297; Nettels, *Money Supply*, pp. 106-107.
- <sup>47</sup> *Ibid.*
- <sup>48</sup> Corn paid two pence per bushel; biscuit, six pence a hundred; cows and horses within the river district, and hogs killed for home consumption or export, 12 pence per year. Beaver skins were taxed two pence a pound when traded within the limits of the river and 20 shillings a hogshhead when exported. There were provisions for the elimination of the beaver tax if conditions in the Indian trade changed to warrant it. See Hooker, *Colonial Trade*, p. 5.
- <sup>49</sup> The Commissioners of the United Colonies charged that this, in effect, was asking Springfield to pay for the purchase of the fort at Saybrook, and denied that Connecticut had the legal right to make such impositions. When Connecticut continued to



collect the duty, William Pynchon of Springfield was called before the Commission and agreed to the duties as being a moderate charge. After "the matter was weighed and considered with due tenderness," the duties were accepted with the stipulation that they would not be advanced and that Springfield would have the right to review them at the end of a year. *Ibid.*, pp. 4-5.

- <sup>50</sup> *Ibid.*; *Records of the Colony of New Plymouth*, I, pp. 89-93.
- <sup>51</sup> *Conn. Col. Rec.*, III, pp. 292-303; Hooker, *Colonial Trade*, pp. 13-14.
- <sup>52</sup> *Conn. Col. Rec.*, I, p. 391.
- <sup>53</sup> *Conn. Col. Rec.*, III, pp. 292-303; Hooker, *Colonial Trade*, pp. 11-12.
- <sup>54</sup> Weeden, *Economic and Social History*, I, p. 341.
- <sup>55</sup> *Ibid.*, pp. 208, 311.
- <sup>56</sup> *Conn. Col. Rec.*, I, pp. 527-28.
- <sup>57</sup> *Ibid.*, II, p. 87.
- <sup>58</sup> *Ibid.*, I, pp. 533-35.
- <sup>59</sup> Weeden, *Economic and Social History*, I, p. 209.
- <sup>60</sup> Hooker, *Colonial Trade*, pp. 35-36.
- <sup>61</sup> *Conn. Col. Rec.*, III, pp. 292-303.
- <sup>62</sup> Weeden, *Economic and Social History*, I, p. 200.
- <sup>63</sup> *Conn. Col. Rec.*, III, pp. 435-36, 439, 441.
- <sup>64</sup> Hooker, *Colonial Trade*, pp. 37-8.
- <sup>65</sup> Weeden, *Economic and Social History*, I, p. 276.
- <sup>66</sup> Weeden, *Economic and Social History*, I, p. 172.
- <sup>67</sup> *Ibid.*, p. 193.
- <sup>68</sup> *Conn. Col. Rec.*, IV, pp. 43-44.
- <sup>69</sup> Calder, *New Haven Colony*, p. 158.
- <sup>70</sup> *Ibid.*
- <sup>71</sup> *Conn. Col. Rec.*, Vol. II, p. 108.
- <sup>72</sup> Clark, *History of Manufacturing*, Vol. I, 45.
- <sup>73</sup> *Conn. Col. Rec.*, Vol. III, p. 196.
- <sup>74</sup> Nettels, *Money Supply*, pp. 149-50.
- <sup>75</sup> Weeden, *Economic and Social History*, Vol. I, p. 253.
- <sup>76</sup> *Ibid.*, pp. 170, 176-77, 304-6, 392-94; Nettels, *Money System*, pp. 149-50.
- <sup>77</sup> Calder, *New Haven Colony*, p. 156; Weeden, *Economic and Social History*, I, p. 185.
- <sup>78</sup> *Ibid.*, p. 175; Clark, *History of Manufactures*, p. 66.
- <sup>79</sup> *Conn. Col. Rec.*, II, pp. 324-25.
- <sup>80</sup> *Ibid.*, IV, p. 74.
- <sup>81</sup> *Ibid.*, pp. 82-3.
- <sup>82</sup> Clark, *History of Manufactures*, I, p. 66.
- <sup>83</sup> *Conn. Col. Rec.*, I, pp. 67-8; Henry R. Stiles, *The History of Ancient Wethersfield*, 2 Vols. (New York, 1904), I, p. 646.
- <sup>84</sup> Dorfman, *Economic Mind*, I, pp. 11-12.
- <sup>85</sup> *Conn. Col. Rec.*, I, pp. 105, 539.
- <sup>86</sup> Weeden, *Economic and Social History*, I, pp. 274-75; Dorfman, *Economic Mind*, I, p. 43; *Conn. Col. Rec.*, I, pp. 105, 222.
- <sup>87</sup> Weeden, I, p. 274, note.
- <sup>88</sup> *Conn. Col. Rec.*, I, p. 316.
- <sup>89</sup> Dorfman, *Economic Mind*, I, pp. 11-12.
- <sup>90</sup> Weeden, *Economic and Social History*, I, p. 103.
- <sup>91</sup> *Conn. Col. Rec.*, II, p. 308.
- <sup>92</sup> *Ibid.*, pp. 308-9.

- <sup>93</sup> Weeden, *Economic and Social History*, I, p. 403.
- <sup>94</sup> *Ibid.*, p. 149, note.
- <sup>95</sup> *Ibid.*, pp. 104, 166-67; Dorfman, *Economic and Social History*, I, pp. 45-46; *Conn. Col. Rec.*, I, pp. 61, 65-66, 205.
- <sup>96</sup> Weeden, *Economic and Social History*, I, p. 83.
- <sup>97</sup> Nettels, *Beginnings of Money*, pp. 1-4; Nettels, *Money Supply*, pp. 106-7.
- <sup>98</sup> *Ibid.*, pp. 209-11; Nettels, *Beginnings of Money*, pp. 5, 7-10; Bronson, *Connecticut Money*, pp. 4-8.
- <sup>99</sup> Nettels, *Beginnings of Money*, p. 5; Alice Morse Earle, *The Sabbath in Puritan New England* (New York, 1891), p. 117.
- <sup>100</sup> Bronson, *Connecticut Money*, pp. 3, 19; Nettels, *Money System*, pp. 209-11; Nettels, *Beginnings of Money*, pp. 10-11, 16-18.
- <sup>101</sup> Bronson, *Connecticut Money*, pp. 20-23 ff.
- <sup>102</sup> Nettels, *Beginnings of Money*, pp. 24, 28; Nettels, *Money Supply*, pp. 224-226.
- <sup>103</sup> Nettels, *Beginnings of Money*, p. 25; Nettels, *Money Supply*, pp. 224, 250.
- <sup>104</sup> *Ibid.*, p. 225; Nettels, *Beginnings of Money*, pp. 18-24.
- <sup>105</sup> Early advocates in England included Thomas Mun, Sir Josiah Child, and Sir William Petty.
- <sup>106</sup> Antonio Serra, "A Brief Treatise on the Causes which can make Gold and Silver Plentiful in Kingdoms Where there are no Mines," (1613), extract quoted in Arthur Eli Monroe, *Early Economic Thought* (Cambridge, 1951), pp. 154-167.
- <sup>107</sup> Haney, *Economic Thought*, p. 126.
- <sup>108</sup> This had been written in answer to de Santis' argument that high exchange we responsible for the scarcity of money.
- <sup>109</sup> Dorfman, *Economic Mind*, I, pp. 98 ff., 102.
- <sup>110</sup> *Conn. Col. Rec.*, IV, pp. 166, 176, 180, 197-98.
- <sup>111</sup> Haney, *Economic Thought*, pp. 126-27.
- <sup>112</sup> Weeden, *Economic and Social History*, I, pp. 317-20; Dorfman, *Economic Mind*, I, pp. 93-94.
- <sup>113</sup> Weeden, *Economic and Social History*, I, pp. 317-20; Nettels, *Beginnings of Money*, p. 26; Nettels, *Money Supply*, p. 252.
- <sup>114</sup> In Massachusetts, such a bank seems to have been in operation for a short period, 1681-82, as a result of the efforts of Reverend John Woodbridge, a personal friend of Potter's, and involving Adam Winthrop, half-brother to John Winthrop, Jr., of Connecticut. In 1686, a new project was proposed by John Blackwell and was sanctioned by the Council, but never actually got underway, possibly becoming involved in Andros' fall. A similar scheme was established in the Barbados in 1661 as an experiment. Perhaps the most famous implementation of the idea was that of John Law in France much later. Nettels, *Money Supply*, p. 252; Dorfman, *Economic Mind*, I, pp. 93-111; Haney, *Economic Thought*, pp. 126-27; Weeden, *Economic and Social History*, I, pp. 317-20.
- <sup>115</sup> *Conn. Col. Rec.*, I, pp. 547-551.
- <sup>116</sup> Frederick Robertson Jones, *History of Taxation in Connecticut* (Baltimore, 1896), pp. 11, 15-16.
- <sup>117</sup> *Conn. Col. Rec.*, I, p. 549.
- <sup>118</sup> *Ibid.*, p. 548.
- <sup>119</sup> Jones, *History of Taxation*, p. 17.
- <sup>120</sup> *Conn. Col. Rec.*, III, pp. 294-300.



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## Chapter VI

### Saints and Sinners

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THE INITIAL social concepts of the settlers stemmed from a religious core that considered life to be a period of preparation, albeit through active stewardship, during which relationships should be ordered to accord to immutable principles.<sup>1</sup> Such a premise tended to make attitudes conservative and arrangements static. Andrews feels that this was more true of Connecticut than of Massachusetts, because of the comparatively meager political and commercial contacts which Connecticut had with England and the continent.<sup>2</sup> Miller feels that this was more true of the second generation than of the first, because of an isolation stemming from a new conviction that destiny of the settlements was separate from that of Europe, which made them consciously and truly colonial and provincial.<sup>3</sup> However, modifications emerged slowly and painfully and in spite of an entrenched aversion to change.

#### *Initial Concepts*

The social structure, presumed to be based on the law of nature and sanctioned by revelation, envisioned the arrangement of people in hierarchical ranks. Although status was not heritable, it had been expected that there would be little flux. Calculations were upset by the rise of the lowly to wealth, and alarmingly confounded by the fall of many from security, especially when some of these latter were landed and industrious individuals. Success was presumably a gift of God, reflecting his judgment of effort and dedication. There was some reluctance, however, to accept changes in material status as final indications of divine appraisal which justified alteration in stratification. Wealth

acquired by mere competition might be no more than a semblance of divine blessing and losses no more than trials, rather than indications of a status ordained by God. Changes in material status, then, were not immediately matched by commensurate social and political position.<sup>4</sup> However, a thread of dissent led slowly to alterations in arrangements and was reflected in adjustments in thought.

Theory held that persons of differing endowments and qualifications "need a differing station to be disposed into, the keeping of which is both the beauty and strength of such a society."<sup>5</sup> There was an orderly classification of people as superior and inferior and a precise delineation of their proper relation. Inferiors owed superiors reverence and submission, not only for their eminence in degree, but also as the cause of the inferiors' well-being.<sup>6</sup> The majority were merely tools and instruments for others to work by, not proper agents to effect anything of themselves. If left alone, they would destroy themselves or be destroyed. Violent insurrections and contempt and disesteem on the part of the inferior was repugnant therefore, since his subjection was necessary. The role Hooker allowed people in election did not relieve them subsequently from the obligation of submitting to duly constituted authority.<sup>7</sup> In Connecticut, Davenport exhorted the people to "perform all duties to them whom you have chosen, . . . whether they be good or bad, by virtue of their Relation between them and you; . . . so wives to their husbands, . . . and servants to their masters."<sup>8</sup> Everyone should stay in his proper place, observing the obligations appropriate to his status.

The maintenance of due order did not rest solely on voluntary conformity to general precepts, however. The majority, the non-members of the covenant, were presumed to have paralyzed wills, and although they had uses, they were not fit to be trusted with certain great obligations, such as that of government, or left to make their own determinations. Only those accepted among the covenanted could be presumed to have achieved freedom of will, and voluntarism had to be limited to them. Only the judgment of these visible saints could be depended upon for an unerring application of God's will in determination of proper conduct. Individual freedom was circumscribed by the imposition of this determination, as laws were enforced and penalties



exacted to compel conformity. The Puritan idea of liberty has been defined as the freedom to do as the better judgment of the brethren should prescribe, with rebellion simply indicating a lack of will.<sup>9</sup>

Status carried obligations for all, for presumably free will and ac-



*(Courtesy Mills Coll., Conn. State Lib.)*

EAST LYME—THOMAS LEE HOUSE AND LITTLE BOSTON SCHOOL  
(OLDEST SCHOOLHOUSE STILL STANDING IN CONNECTICUT)

tion were subordinated to the public good. Community service was a duty, rather than a privilege, and not one that could be refused. When necessary, fines were imposed for refusal to serve, as in connection with the offices of Constable and Surveyor of the Highways, and if deputies absented themselves from Court sessions without leave.<sup>10</sup>

The obligations of the governing class were considered heaviest. The covenant was to be administered by an oligarchy of saints, a “sav-

ing remnant" which by enforcing the terms of the contract would obtain a blessing for all. With this justification for power, the saints aspired to tighter control than that exercised in any European state, and attempted to maintain their stringent standards long after Massachusetts had found some amelioration necessary. The governing group had the responsibility of restraining human depravity through regulation.<sup>11</sup>

Regulations detailed the terms of the covenant in all phases, including the enforcement of the moral dictates of the Church, and served to guide conduct. Enforcement to implement civil regulation and bind conduct was based on a close supervision of the population, in which church officials shared responsibility with civil magistrates. The tithingmen, for example, who, it has been said, kept all but themselves attentive to the sermon on Sunday, were men of authority throughout the entire week. Each was supposed to watch several families, usually ten, during the week. Supervision ranged from an enforcement of learning the catechism to keeping "all persons from swimming in the water." They could inspect the ordinaries, direct the keeper to sell no more liquor to anyone fancied to be drinking too heavily, and report the names of "idle tiplers and gamers." They had a "spetial eye out" for all bachelors, who were also carefully watched by constables, deacons, elders, and heads of families. The tithingmen helped collect ministerial rates, warned people out of town, watched to see that no young people walked abroad on the eve of the Sabbath. They reported all those "who lye at home," as well as the "sons of Belial strutting about, setting on fences."<sup>12</sup>

The supervision of these small affairs was enforced by citation before court, admonition, fines, whipping, branding, confinement in stocks, or imprisonment. Oftentimes the imposition of a penalty was left to the discretion of the court, at other times the punishment was explicit. In addition there were fourteen capital crimes: idolatry, witchcraft, blasphemy, "direct" murder, murder by such "guile" as poisoning, murder by false testimony, bestiality, sodomy, adultery, rape of a bethrothed or married woman, kidnaping, conspiracy and rebellion, unjustified cursing and striking of parents, and disobedient persistence in sin by children over sixteen. In addition to civil punishment, church members could be deprived of the privilege of taking



the sacrament. The pastor might authoritatively suspend anyone suspected of scandal without waiting for action of the Church to pronounce excommunication. There is recorded one instance of visiting the sins of a father on his children, who were deprived of baptism because their sire abused another at a tavern.<sup>13</sup>

These means enabled the coercion of the majority, which theory had supposed to be necessary to achieve external conformity to fixed arrangements assumed to reflect immutable principles. Such coercion was inherently intolerant of criticism, schism, or heresy. Rebellion merely indicated a lack of will, and John Cotton had warned that rebellion would be cloaked in specious equity and legality. There was no predisposition to consider arguments that were "but the devises of Satan, that so pernicious errorrs might more easily be entertained."<sup>14</sup> As in Massachusetts, the question of consent was considered to have been disposed of initially and to entail submission thereafter: the civil complaint of Bulkeley in Connecticut became as impotent as that of Child in Massachusetts.<sup>15</sup> The limits of admissible speculation were defined by law, and criticism of magistrates and church officials or even of church music was prohibited and generally punished when it defied prohibition. A New Haven man was severely whipped for declaring that he received no profit from his minister's sermons. In New Haven, too, Madam Brewster was tried in high court for declaring that carrying contributions to the Deacons' table was "like going to the High Alter" and "savored of the Mass." Intolerance was defended as a necessity in a new colony, though as has often been pointed out, the argument lost weight as Rhode Island continued to exist on the face of the earth in contradiction to the prophecies of the ministers.<sup>16</sup>

Intolerance of non-conformity could not suppress the more subtle ways in which dissent was registered. Even the legendary woes of the tithingman in and out of church attest its existence. That stories of his being outwitted with impunity were enjoyed enough to be recorded, seems to indicate a sympathetic chafing at restriction on the part of hearers. Such dissent grew until many regulations became unenforceable in the face of general disregard. Criticism of the basic premise of the infallibility of magistrates seems indicated by the reported growing inclination to employ the aid of lawyers. Connecticut, by law, had for-

bidden them to defend a criminal. When the court observed that this prohibition was flaunted, they imposed a fine of 10 shillings and permitted the practice to continue. It was asserted that for lawyers to direct men in their causes was unnecessary and wicked, the charge an outcry against the practice and its inconvenience.<sup>17</sup>

Although in retrospect the administration of the government seems to have consisted largely in meddlesome interference with personal affairs and to have meted out harsh penalties for small offenses, no immediate general resentment was aroused among the people. They were familiar with the modes of punishment which had been brought over from England where a larger number of capital crimes still were listed and other penalties severe.<sup>18</sup> There was general consent to governance by Biblical precept and acceptance of the idea that a selected few could best distinguish and apply these principles. To the extent that the system was attacked, criticism stemmed from experience gained in living with its inadequacies and discomforts, and balancing these against its "seasonable merriment."

One was free to marry and make a living, as well as to go to church on Sunday and Lecture Day. It was forbidden to celebrate Christmas or May Day. However, Thanksgiving, Election Day and Commencement were holidays, and on training days, a silk handkerchief, or, perhaps, even a pair of shoebuckles, were offered by some of the wealthier citizens as prizes for young men's marksmanship. Morison points to such levity as an indication that the Puritans were less fanatic after they were in power than was indicated by the pamphlets written before.<sup>19</sup> Yet, they were still suspicious of natural appetites and instincts and believed these should be regulated stringently.

### *Marriage and Divorce*

Marriages were encouraged, including among the clergy. Calvinists considered the object of sexual relations to be the perpetuation of the race, not sensuous pleasure. Marriages offered practical advantages where population was sparse. Large families might be burdensome in England, as was John Winthrop, Sr.'s, but in New England, with an earth to improve and labor scarce, they were economically advantageous.<sup>20</sup> God's chosen people had a mandate to increase and multiply



and people the earth.<sup>21</sup> There was suspicion of the unmarried man, who was generally required to live under family supervision. It was exceptional when Windsor, in 1652, allowed two unmarried men to keep house together "so they carry themselves soberly and do not entertain idle persons to the evil expense of time by day or night."<sup>22</sup> There was no room—save that where spinning, weaving, and other tasks were performed—for the spinster, who was also known as webster, shepster, litster, brewster, and baxter in testimony to the role she filled.<sup>23</sup> Merely to escape public disapproval was an inducement to marriage.<sup>24</sup>

Matrimony was a practical business. Both the daughter and her father demanded to be assured of the economic worth of a potential husband, and the will of the parent and guardian was an important element. This is indicated in the affair of Lydia Frost and Henry Grey. Grey had more than Lydia had "stood upon," but the father was harder to satisfy.<sup>25</sup> In 1643 the General Court forbade any person, male or female, to make or entertain any proposal without the knowledge and consent of those under whose disposition they lived.<sup>26</sup> This was supplemented by an order of 1640 that such contracts had to be published eight days before marriage.<sup>27</sup> Marriage ceremonies were not performed by the clergy, but by any magistrate or other authorized person. It became the practice, however, for the minister to preach a sermon the following Sunday from a text selected by the new bride, and interrupted for the bride and groom to stand to show their wedding costumes.<sup>28</sup>

No general law provided for divorce until 1677, but divorces were granted earlier. These were generally granted because of desertion assumed from extended absence. In the first case in 1655 concerning Goody Beckwith the period of absence was not indicated, but the case of Sarah North in 1660 based assumption on a seven year period. This seemed to decline slightly, for in 1676 Sarah Towle was allowed to remarry when her husband had been away only six years, and in 1677 "fue yeares and upwards" was the basis for one divorce. Not all divorces were based on simple desertion, however. In the case of Robert Wade, whose wife had refused for fifteen years to join him or to permit him to gain "fellowship" with her in England, divorce was granted in 1657, since she was guilty of "vnworthy, sinfull, yea, unnaturall cariage towards him."

Elizabeth Rogers was released because the "righteousness of her desires" was clear, and she was given custody and support for her children, their father "being so hettridox in his opinion and practice . . . haueing in open court declared that he did vtterly renownce all the vissible worship of New England, and professedly declare against the Christian Sabboth as a meere invention, &c." In 1677, it was provided that no divorces would be granted except in the case of adultery, fraudulent contract, or willful desertion for three years with total neglect of duty, or seven years' providential absence.<sup>29</sup> After divorce, as after death of one spouse, remarriage was immediate.<sup>30</sup>

### *Early Houses*

The villages of Connecticut settlers very quickly began to look different from their English counterparts. This divergence has been explained variously. It has been suggested by Norman M. Isham, elaborated by J. Frederick Kelly, and accepted by many followers, that the colonial style evolved in America on the basis of accretion from single-room, end chimney houses into two-room, central chimney houses which finally incorporated a lean-to.<sup>31</sup> This explanation has been attacked by Anthony N. B. Garvan,<sup>32</sup> because, he asserts, it was premised on knowledge of a single type of architecture and because the chronology of extant houses does not accord with these plans. Although some houses definitely had successive additions, he points out that the various plans seem to have been built concurrently, since all types survive from 1660 and no single type seems dominant.

To Garvan the divergence between Connecticut colonial and English architecture seems explainable in large part by the rebuilding in England after the London fire and after the Restoration which introduced new fashions. These did not influence Connecticut, since she was isolated because of a lack of economic and political contact and an absence of migration from England.<sup>33</sup> Although Garvan finds an English precedent for practically every aspect of Connecticut building, these are all found in English architecture before 1630. Environment, perhaps, determined the relative importance which each basic type assumed in the colony and the slight modifications which are evident.



Shingles, for example, were substituted for thatch in roofing because of availability. Even this substitution, however, seemed tied to English tradition, since the fact that they were sometimes pegged in the manner conventional in England when tiles were used for roofs suggests that they were considered a facsimile for tile.<sup>34</sup>

Since Connecticut settlers came from various classes and various counties of England they could be assumed to be familiar with the architectural types conventional for each of these groups and locales. There may have been, in addition, a certain familiarity with architectural features typical of London and certainly with those London features, such as the overhang of upper stories, which had been transposed to the English countryside. English architecture, according to Garvan, had developed a distinguishable type of house for each status: the one and a half story, two-room copy hold house of the husbandmen; the yeoman's central chimney, carefully-ordered house, with a lean-to, necessary, because of the weight of the thatched roofs, to provide an extra wall to receive some of the thrust; the manor houses with their central halls, and the town house. Garvan believes that settlers at first chose from these the type of house which fitted his station and that therefore Connecticut architecture had diversity from the beginning. In Connecticut, he distinguishes the leaders' houses, especially at New Haven, as built on the manor plan; the proprietors' houses, found on the main streets, as based on the yeoman's central chimney in England; the houses of farmers of moderate means derived from the one and a half storied husbandman's house; and one room houses, used by the poorer and as a temporary expedient. In addition, there were some rock houses based on the Irish bawn or "stronghouse."<sup>35</sup>

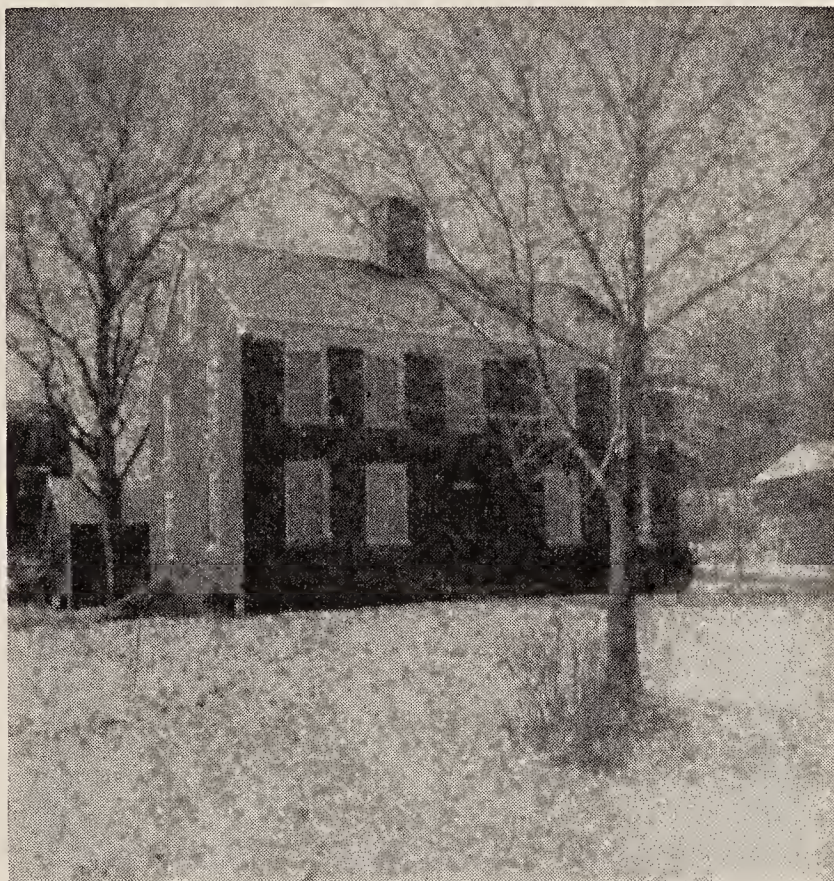
Uniformity of Connecticut architecture came, Garvan suggests, as landholdings, absence of great trade, and homogeneity of population tended toward an economic leveling. Of the first houses, those built by the proprietors, following the yeoman's central chimney plan, became the ideal, since isolation left the second generation with a knowledge only of what they saw in the colony and new fashions in manuals were beyond their tools and construction experiences. Massachusetts and New York changed styles to follow European variations because of their contacts, but Connecticut provided a contrast. Central chimney houses



became typical of Connecticut colonial architecture and lingered on,<sup>36</sup> because the colonists did their own building and built as they knew how and because the style was practical for New England's climate.

Because of the extraordinary domination of the center chimney house in Connecticut, it justifies a closer examination. The similarities of these houses are striking and include even typical dimensions. Most front rooms, for example, measure approximately 16 feet square. Extra inches, or fractional measurements, are probably not a departure from the convention, but rather reflect the inaccuracy of measuring standards.<sup>37</sup>

The center chimney gave the greatest possible heat retention in view of a construction that sent most of the heat heavenwards until it was learned to curve the backs of fireplaces. Built into the chimney were usually three



CROMWELL—ONE OF THE MIDDLETOWN  
UPPER HOUSES, BUILT BY  
THE KIRBY FAMILY 150 YEARS AGO

fireplaces in first floor rooms and two or three upstairs. Proportions allowed an enclosed area in front of the chimney, between the two front rooms, which held front stairs and very rarely a small fireplace under them, and provided an entrance way. This was called a "porch" and served the function of later storm entrances. One front room was spoken of as the "parlor," even if it were necessary to keep beds in it. This room frequently contained a wide, side doorway, the "funeral door," necessitated by the small, narrow porch, at least, except when double front



doors were used. The other front room was termed the "Hall" and became the dining hall.<sup>38</sup>

The kitchen across the rear was the family living room. Its fireplace was furnished for cooking with crane, jack, spit, and pot hook. Utensils were made with legs or used with separate frames providing legs of various heights to enable adjustment in distance from the fire. Baking was done in a bake kettle or in a dutch oven built into one side of the chimney. Occasionally in the later houses these ovens contained their own flue. Authorities differ as to whether this permitted a fire to be built directly in the oven or whether it merely allowed coals to be banked against the recessed oven door. In the retained or reflected heat bread baked very slowly and it is no wonder that commercial bakers flourished from the beginning. Meats, fruits, and vegetables hung from the beams.<sup>39</sup>

Because of drafts, a settle was regularly placed in front of the fire. This was a highbacked bench with cupboard space underneath. Children sat on stools at the fire's edge. There was, perhaps, one chair for the head of the house, sometimes one with a back that would turn down to provide a small table. The room was furnished for dining by a table that could be reduced in size when not in use. Trestles and boards were much used at first, then gatelegs and dropleaves. A prized possession, placed in this room or in a front room, was a cupboard for the display of pewter. Originally this was Jacobean, as were all of the earliest pieces of furniture. The colonists did not begin with the light and graceful pine pieces conventionally associated with these houses. Knives and spoons were used, but forks were a rarity, which explains the large numbers of napkins regularly inventoried. Wooden trenchers were common and pewter pieces widely owned. Silver was rare. Tankards of leather, wood, or pewter were provided—but not one for each person. Instead, they were large and continually passed around. The comfort of the room was increased by the protection offered by the flanking pantry and birthroom.<sup>40</sup>

Upstairs were the parlor chamber, hall chamber, and kitchen chamber or chambers. Ladders furnished access to the first rude garrets, but soon both front and back stairs were general.<sup>41</sup> This did not represent the luxurious provision of service stairs but compensated for the

inconvenience otherwise entailed by the central position of the chimney. Backstairs provided access to rear chambers without violating the privacy of the front ones.

Ells were oftentimes added to the houses. Sometimes this was to enable the kitchen to be moved back, though usually a kitchen ell was added so late as to be of entirely different architectural conception from the remainder of the house. More frequently ells were to accommodate family increases. Sometimes they were miniature center chimney boxes providing independent kitchen and living areas. At times they provided additional sleeping rooms or space for equipment to enable spinning and weaving for cloth manufacture. Houses were often divided in wills and parcelled to different members of the family during their lives.<sup>42</sup>

Structurally, the houses placed all weight on rock foundations, typically four feet wide and formed by large rocks on each side and rock rubble in the middle. Integral to the structure were summer beams running across the longest dimension of the house. These tied into the chimney and into cross beams. Usually beams were encased. Some insulation was provided by the practice of filling the space between the sheathing and clapboarding with mud and straw wattle.<sup>43</sup>

The earliest houses had very small windows with small panes set in lead, for putty was not used. Houses with full, though still short windows, customarily had 24 panes in each window. Oiled paper was widely used before glass could be procured. When glass was available, it was set into wooden frames with small hand-forged nails. The windows admitted as much air as light. Low ceilings continued, as supplementary light was from candles laboriously made from tallow, bayberry, and wax or from smoky whale oil lamps and lanterns. The second story overhung the first and provided protection—not against Indian attack except in a few garrison houses but against the elements—for the downstairs doors and windows. The reason for the overhang was originally structural, perhaps, but was retained as decorative. It was an old English feature providing useful additional space in upper story, formed in Connecticut usually by hewing the corner posts and intermediates to the height of the first floor and moulding the overhang, which constituted a simplification of the English feature.<sup>44</sup> Although brick-making began early, bricks were not at first made in quantities



sufficient for entire houses, but only for chimneys. Much wood was used in the interiors. Sometimes an entire room would be finished in wood—ceilings as well as walls. Conventionally, fireplace walls were panelled and panelling or sheathing run around the other three walls from floor to window sill, at which point it was topped by a chair rail. The wall shared by back stair-well and kitchen or kitchen chamber would be vertically sheathed, and the interior of the back stair-well horizontally sheathed. Hinges were of leather or forged iron, other hardware of iron or pewter. A few small cupboards and closets were built into spaces around the chimney. These sometimes included handsome china cupboards in the parlor or the hall. Chests and movable cupboards were the substitutes for modern closets.<sup>45</sup>

Few built bigger houses than they could afford, and inventories indicate that the value of the house is not generally disproportionate to the total estate. Phineas Willson, with an estate of £1,526 1s. 4d. had £260 in his homestead house and lands at Hartford. Mary Gilbert, worth £562 13s. 17d. had invested £160 in a homestead, and Deacon Thomas Bull of Farmington, out of an estate of £745 12s. 1d., had £150 invested thus. Nor do the inventories of furnishings indicate any great lavishness. John Haynes, Governor of Connecticut, left an estate of £1,400 in 1653. The hall furnishings were listed as 5 leather and 4 flag-bottomed chairs, one table and three joined stools, one tin hanging candlestick, seven cushions, 3 firearms, one rapier, one pair of cobirons (andirons), one iron back, one gilded looking glass, one smoothing iron. The whole was valued at £8 13s. 10d. The parlor had velvet chairs and stools, Turkey wrought chairs, curtains of say, and a green cloth carpet. Carpets appear in most inventories but refer, in fact, to table covers. The other furnishings were comparably modest and usual.<sup>46</sup>

### *Life in the Early Household*

At the table there was a substantial fare. Turnips, onions, carrots, and parsnips were common vegetables. The white or Irish potato was introduced during the century but did not become common until its end. Indian meal was a staple, and fish, pork, and game were plentiful. Small luxuries began to be imported by the second generation and

included raisins, almonds, and oranges. Butter was seldom used. Milk and water were held suspect, probably with reason, and even children were given ale or cider regularly. Madam Knight, who recorded her travels in Connecticut, criticized the Connecticut farmers for too much familiarity with their slaves, who were allowed to eat at the same table "to save time." Distinction was maintained by putting inferiors, including children, below the salt and others above.<sup>47</sup>

Family life in a subsistence economy was inherently busy. No staple crop allowed specialization, and time had to be found for a certain amount of home production of cloth, leather work, and wooden wares. Time was made more inadequate by the inordinately long time involved in accomplishing each task with primitive equipment; and a great expenditure of effort brought only a small return because of this limitation, as in the case of farming with wooden plows that did not turn the earth properly. It was difficult, too, even to find space for certain pieces of equipment such as the weaving loom, which was far less common than the smaller wheels. If the loom had to be placed in an attic or shed-loft, it could not be among the occupations of the comparative leisure offered in winter. Professional weavers developed early and men were apprenticed to this trade, partially, it was said, because of the intricacies of the process, but also partly because of the space problem. The long housebound winters, however, encouraged homecrafts, and the distribution of the population in villages provided some market for exchange which promoted such pursuits. The Connecticut farmer could hardly have spent all his winter's time on wooden nutmegs, even later when they gained importance; on the homespun beginnings of the seventeenth century was based the rise in crafts of the eighteenth.<sup>48</sup>

#### *Dissatisfaction and Slow Modifications of the Order*

The simple patterns of the early period might have been expected to prevail indefinitely by logical extension of Puritan precept. Wealth was supposed to be sought only to a point of sufficiency, a point recognized to vary for different individuals according to their status. As defined by William Perkins, the limit for any man was "the common judgement and practice of the most godly, frugal, and wise men with whom we live and that which they . . . judge sufficient to his place and



calling. . . .”<sup>49</sup> Even if one met with economic success, he was supposed to continue to live plainly, abstinently, and ascetically, content in his calling and status.

Enforcement of such asceticism seems to have been attempted by the ministers. Their sermons became jeremiads lamenting the insidious changes and prophesying resultant doom. The catalogue of complaints included a specific campaign against periwigs, which perhaps, reached the pinnacle of its success when a congregation criticized the Reverend Joseph Metcalf for wearing a wig that was too worldly. The campaign ranged to the more abstract pleas that a proper balance be maintained between the economic and spiritual. The religious creed glorified the zealous conduct of one’s business, and the ministers never attacked the occupations themselves. One’s work was, also according to the dogma, supposed to be a form of worship, and the ministers reminded their congregation that success was a gift of God given, not merely as a reward for endeavor, but also for dedication. These admonitions apparently did not completely stem prideful display or turn riches into instruments of piety.<sup>50</sup>

That people not live above their means, however, was a subject for regulation by the Sumptuary Laws. In 1641, the constables were to notice whom they judged to exceed their condition and rank in excess apparel and to present such to Court. In 1676, on grounds that excess in apparel was unbecoming to a wilderness and to the profession of gospel, whomever wore gold and silver lace, gold and silver buttons, silk, ribbons, or other superfluous trimmings, or any bone lace above 3 shillings per yard or silk scarfs, they, or husbands, parents, or masters were to be assessed at 150 pounds estate. They were to pay their rates “as such men use to pay to whom such apparel is allowed as suitable to their ranke.” This was a rather rigorous luxury tax.<sup>51</sup>

The greatest concern about sumptuousness, however, was not because of the economics involved. This is shown in the exceptions made for families of magistrates and public officials, for army officers, and for “such whose quality and estates have been above the ordinary degree though now decayed.” Dress served to classify and arrange people as well as to clothe them. The concern was less that people live above their means than that they live above their station. The criterion

of wealth was used as a standard for dress in the hope that it would be an effective method of selection to prevent presumptuous display. In part, it was a concession to those who achieved a substantial degree of material success, allowing them a limited social recognition, and softening to that extent the exclusiveness of the system. The admission of



*(Courtesy Mills Coll., Conn. State Lib.)*

BROOKLYN—HOME OF GEN. ISRAEL PUTNAM

material worth as a standard admitted a certain fluidity to modify the theory of static arrangement. Wealth and standing had to be somewhat equated in the minds of a people who had recently derived a modicum of status, as a developing middle class, in large part from an accumulation of material assets. Late in the century any restriction on dress became impossible. The Sumptuary Laws could not be enforced even when selectmen were themselves arraigned for not prosecuting offenders.<sup>52</sup>

In spite of the charges of extravagance of dress implicit in the references to the silk and tiffany hoods or to the silk and brocade petticoats by which women of lower rank offended, this is not reflected in the value



of garments listed in inventories. Clothes were not of self-effacing gray as is oftentimes thought, for native bright dyes were used to make home-spun gay. Still, the majority seems to have dressed plainly, and the lower "orders" humbly. Leather clothing was much worn by laborers and servants. Their shoes had wooden heels and were worn with Irish stockings, which, in the interest of durability, may have been of cloth rather than knitted.<sup>53</sup>

The matter of dress was not the only distinction which existed to gall the wealthy farmer or merchant. The broad use of "Mr.," "Mrs.," and "Miss" came in slowly, for example, to replace the "Goodman" and "Goodwife" generally used in the beginning.<sup>54</sup>

Distinction, long without adjustment, was maintained in the Church, where full admission was restricted, and with it, in fact, full political rights. There are occasional articulations recorded which indicate that some individuals were resentful of their exclusion from the corporation of saints and took delight in the unsaintliness of some of the elect. Cotton Mather intimated that non-members took delight in luring church members into taverns and getting them drunk. The classic expression of the attitude was achieved by Peter Bussaker with the profane announcement, for which he was whipped in 1648 in Connecticut, "that hee hoped to meete some of the members of the Church in hell err long and hee did not question but he should."<sup>55</sup>

Most annoying of the church distinctions, apparently, was the imposition of a seating arrangement according to precedence. Seats were assigned by a committee charged with the preparation of a formal list based on adjudged rank of other members of the congregation. A second committee assigned seats to the members of the seating committee. The committee's evaluation of the relation of each individual to the community determined the individual's status and seat. Even the family unit was subordinated to this individual-group relationship. Families did not at first sit together, and the seats assigned wives did not always parallel those assigned their husbands. By 1673, estate, office, and age came to be criteria. Eventually the contribution toward the building of the meeting house or the paying of the minister ameliorated other considerations and helped one to buy a front seat or one of the pews that came to be added. Some belonged to the congregation and were assigned

to individuals, and some were built according to individual taste and owned personally.<sup>56</sup>

The laws governing the observance of the Sabbath were applicable to all alike, without distinction, except perhaps in the penalties exacted. In New Haven, Captain Dennison, a popular and respected citizen, who may have been tried to test the extent to which application would be inclusive, was fined 15 shillings for non-attendance at Church. William Blagden was "brought up" in 1647 for absence from meeting, and though he explained that he had fallen in the water late Saturday, could light no fire on Sunday to dry his clothes, and had lain in bed to keep warm while his only suit was drying, he was found guilty of "sloathfulness" and sentenced to be "publicly whipped." Even the Indians were required not to break the Sabbath under penalty of one hour in the stocks or a five shillings fine, half of which was to go to the public treasury and half to the party discovering the violation. That any one Assistant or Commissioner could determine such a case and the lack of specific elaboration of the injunction seem to indicate that a general understanding existed among the settlers as to what constituted observance.<sup>57</sup>

Observance was specifically defined by law only as violations occurred. The code provided in 1668 that no one should profane the Sabbath by unnecessary travel, by playing before, after, or during public worship, or by keeping out of the meeting house unnecessarily, that is, if there were seats within. The penalty was an hour in the stocks or a fine of five shillings.<sup>58</sup> In 1676, there was reenforcement and extension of the provisions:

If any person or persons henceforth, either on the Satturday night or on the Lord's Day night, though it be after the sun is sett, shall be found sporting in the streets or fields of any town in this Jurisdiction, or be drinking in houses of pub: entereinment or elsewhere unless for necessity, . . . [there] shall be a 10 shillings fine or corporal punishment in default of payment.

It was also ordered that "noe servill worke" should be done unless "workes of piety, charaty or necessity" and that there be "no prophane

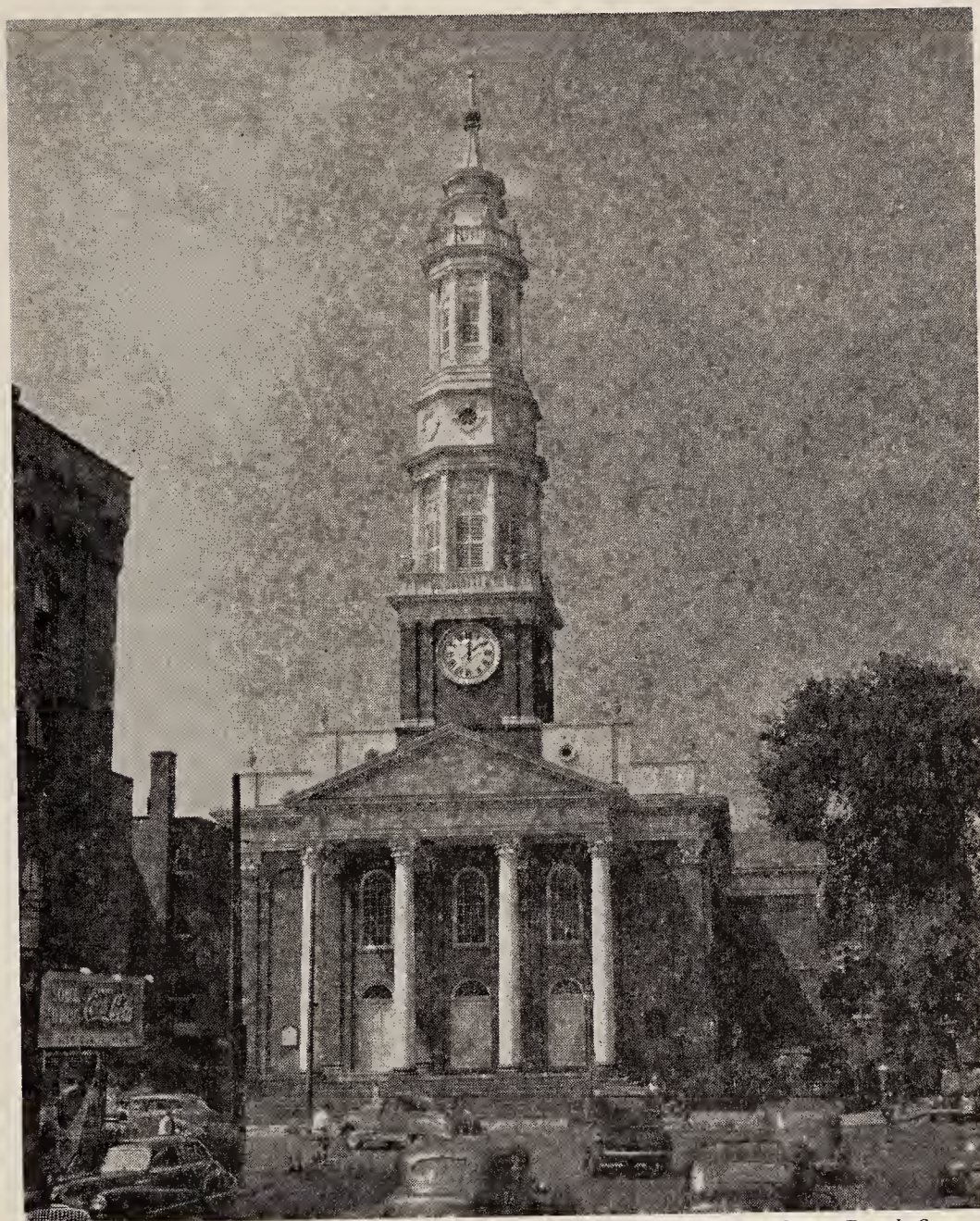


discourse or talke, rude or unreverent behauioure.” If the offenses were accompanied with high handed presumption, the ten shillings penalty could be augmented at the discretion of the judges.<sup>59</sup> These terms were general enough and the permitted discretion of the judges broad enough to cover any word or act offensive to the most reactionary.

Although the “Blue Laws” set forth in 1781 in a popular and largely fictional “General History of Connecticut by a Gentleman of the Province” were not literally laws of the colony, the gentleman of the province, the Rev. Samuel Peters, a hostile Anglican minister, did not exaggerate the spirit that prevailed. The laws in Connecticut may not have forbidden a mother to kiss her child on Sunday as charged by Peters, but certainly, in Massachusetts, Captain Kemble in 1656 sat in the stocks for two hours for the “lewd and unseemly” act of kissing his wife in public (on the doorstep of his house) on the Sunday on which he returned from a voyage of three years. Connecticut laws do not differ in kind from those of other Puritan colonies, but Connecticut kept the system longer and is presumed to have made it more effective. In written and unwritten portions it was severe, and had weekday overtones in such regulations as those concerning the use of tobacco. No one could take it publicly on the street, field, or woods (except on a journey of at least ten miles) or at dinner. In a group, only one person was to smoke at a time. Smoking was forbidden within two miles of the meeting house on Sunday in New Haven, and since the houses were clustered around it, this was tantamount to banning its use on Sunday.<sup>60</sup>

A fear of conflagration explains, in part, the prohibitions against smoking near the meeting house. Its lofts were used at first as store houses for the “devil’s weed” that could be sold to the ungodly Dutch, and for grain and powder. This fear of conflagration, also, explains in part why the meeting houses were unheated. This came to symbolize asceticism and hardy devotion to some, however, and sitting through the lengthy sermons in severe discomfort must have been a trial of endurance. This was especially true of women who wore paper soled shoes and low cut gowns. Women were sometimes allowed to use foot-stoves, but this, too, risked and, on occasion, caused fires, and was not universal. Between sermons the congregation was warmed before a fire and with a hot drink of flip at a nearby residence or at a noon-house





*(Courtesy Conn. Devel. Comm.)*

HARTFORD—SOUTH CONGREGATIONAL CHURCH

constructed to meet this need and to shelter the congregation's horses during meeting.<sup>61</sup>

In the plain, uncomfortable meeting house, the ministers preached twice on the Sabbath and once on lecture days. The passage of time was marked by an hour glass; a minister was expected to turn it at least once, and in many sermons it was turned twice and even three times. In addition, prayers were sometimes an hour long. Otherwise, the congre-



gation did not feel that it secured its money's worth. Journals and diaries never criticized long sermons. Length was regarded as a criterion of excellence. Sometimes brevity, especially in prayer, was criticized. Sermons were expected to be written out and delivered from memory, and the use of notes was criticized by congregations, though their use became more common toward the end of the century. Ministers did not always consider it necessary to write, memorize, and deliver a new sermon each time. One minister gave the same sermon three Sundays in a row after being ordained. When a deacon was sent to suggest a change, the minister merely said, "I can see no evidence yet that this one has produced any effect."<sup>62</sup>

Attendance at the two Sunday sermons was required of all inhabitants, and they went to the meeting house when called by drum, or conch shell horn. Many members of the congregation came with ink-horn and paper to take notes. A system of shorthand had been especially devised to enable the recording of as much as possible of the sermon for later rehearsing at home or at school. Many thick notebooks of sermon abstracts survive and supply half of the sermons which have been preserved. It is such a record that remains of the sermon of Hooker which is considered basic to the Fundamental Orders. The lack of printing presses in Connecticut meant that fewer of the sermons delivered to its people were preserved than in Massachusetts. Only election day or General Court sermons were printed.<sup>63</sup>

Deacons presided over communion, for which wood services were at first used and later some silver, though pewter was most general. Sometimes the deacons furnished the sacramental wines for which they were paid out of the church rates. These rates came to be moderated for men without wives and for non-communicants, but some contribution for the support of the Church was required of each inhabitant. Each estate was considered in estimating the amount proper for an individual to pay. If he did not voluntarily—by the Christian or Church way—pay enough, he was taxed, with fines, imprisonment, and the pillory enforcing collection. Contributions in church supplemented formal rates and were presided over by the Deacons. The contributions were brought up individually by "the Magistrates and chief gentlemen first, and then the Elders and all the Congregation of them, and most of

them that are not of the Church, all single persons, widows and women in absence of their husbands." Individuals came up one way, put money and papers in a box or laid chattels before the deacons, and then returned to their seats another way. Contributions ranged from a "faire gilt cup" to the libelous verse thrown in by Quakers. John Rogers, in derision of a New London minister, threw in the insulting contribution of an old periwig. One goodwife, whenever contributions were taken for work among the Indians, always put in leaden bullets, the only tokens she wished distributed to them. New Haven, especially, suffered from the contribution of broken wampum that was useless as currency. Complaints mounted through 1650, and, in 1651, silver and bills alone were made acceptable. These were so scarce that it became difficult to secure any contributions at all in New Haven.<sup>64</sup>

Out of the contributions and rates came the minister's pay, poor relief, and "churches occasions." The sums were disbursed as from a general fund "without taking account ordinarily," rather than by specific allocation. The minister's salary was an amount voted annually, and might have been adequate if the amounts voted had always been paid. No Connecticut minister is known to have petitioned his congregation not to vote a salary increase as did the Rev. Mr. Sprague of Dublin on the grounds that he was "plagued to death to get what is owing to me now," but numerous ministers found their ministerial incomes inadequate. Formal salary was supplemented by other privileges and benefits such as tax exemption, special allotments of land, extra pasturage on the village burial grounds, spinning bees, quilting bees, harvesting help, and wood-sleddings. Lapses in these aids are evidenced by ministerial complaints not always as subtle as the hint of Mr. French of Andover who agreed to "write two discourses and deliver them in this meeting-house on Thanksgiving Day provided I can manage to write them without a fire." Connecticut ministers did not depend entirely on the support of their congregations and supplemented their incomes. Many made and sold cider. The Reverend Nathan Strong of Hartford owned and operated a distillery. Most practiced medicine, retailing drugs on the side. Some learned to draw up wills and other legal documents. Some were carpenters, millers, or ropemakers.<sup>65</sup>

Inadequacies in financial support did not necessarily stem from





NORTH BRANFORD CHURCH

*(Courtesy Conn. Devel. Comm.)*

indifference or antagonism. The lectures which were not compulsory were yet well attended. The New Englanders seemed avid for sermons in the early period. In the 1630's there was so much "running from town to town" to hear lectures that the Massachusetts General Court had tried to fix them all on one day. The parsons protested on the grounds that people had come to New England expressly to be free to hear sermons. The Court then resolved that the weekday lectures should end early enough to let people get home before dark. Work ended



customarily at three o'clock on Saturday afternoon, and though it was feared that the taking out of another day made the work week too short, people in Connecticut were free to go to church.<sup>66</sup>

Interest and participation waned, and the church began to fear the loss of interest in the Church. Instead of emphasizing exclusiveness, it became necessary to make sure of recruiting the necessary core of saints and of cementing the total population to the Church in order to maintain its authority. Fines, regulations, and stocks were no more able to enforce the real solidarity and subordination on which society was premised than they could control such visible signs as excess dress or tavern patronage. It became essential to try to arrest the splintering of society into groups and competing interests by some other means. This necessity caused a basic alteration within the Church. The accommodation to new conditions evolved slowly through the controversies concerning preparation and baptism and this resulted in conscious efforts to enlarge congregations and to hold them through reaffirmations.<sup>67</sup>

## NOTES—CHAPTER VI

<sup>1</sup> See above, Chapter V, Andrews, "Early Aspects of Connecticut," pp. 18-19.

<sup>2</sup> *Ibid.*, pp. 3-4.

<sup>3</sup> Miller, *New England Mind*, pp. 5-9.

<sup>4</sup> *Ibid.*, pp. 48-51, 120; Dorfman, *Economic Mind*, I, pp. x, 3-12.

<sup>5</sup> Quoted in *Ibid.*, p. 38.

<sup>6</sup> See above, Ch. V.

<sup>7</sup> Dorfman, *Economic Mind*, I, pp. 11-12, 38-42.

<sup>8</sup> Quoted in *Ibid.*, p. 40, from a facsimile in the *Transactions of the Colonial Society of Massachusetts, 1904-1906* (Boston, 1907), of "A Sermon Preac'd at the Election of the Governour, at Boston in New England, May 19, 1669," printed in 1670.

<sup>9</sup> Weeden, *Economic and Social History*, I, pp. 51, 222; Miller, *New England Mind*, pp. 53, 91.

<sup>10</sup> *Ibid.*, p. 78; *Conn. Col. Rec.*, II, pp. 87, 124.

<sup>11</sup> Miller, *New England Mind*, pp. 21, 26, 53, 78, 119. See above, Ch. III.

<sup>12</sup> Alice Morse Earle, *The Sabbath in New England* (New York, 1891), pp. 73-75.

<sup>13</sup> *Ibid.*, 262-65; Wertebaker, *First Americans*, p. 220; *Conn. Col. Rec.*, I, pp. 77, 509-63, esp. 515.

<sup>14</sup> From Richard Mather's "Farewell Sermon" delivered April 10, 1657, quoted in Miller, *New England Mind*, pp. 9-10.

<sup>15</sup> *Ibid.*, pp. 120-21.

<sup>16</sup> Earle, *Sabbath*, pp. 259, 260, 265.

<sup>17</sup> *Ibid.*, *passim*; Weeden, *Economic and Social History*, I, p. 108; *Conn. Col. Rec.*, II, p. 59; Miller, *New England Mind*, pp. 34-35.

<sup>18</sup> Harvey Wish, *Society and Thought in Early America*, I, *A Social and Intellectual History of the American People Through 1865* (New York, 1950), pp. 44-45.



- <sup>19</sup> Weeden, *Economic and Social History*, I, p. 412; Morison, *The Puritan Pronaos*, pp. 9, 22.
- <sup>20</sup> Brinton, *Ideas and Men*, p. 326; James G. Leyburn, *Frontier Folkways* (New Haven, Conn., 1935), pp. 14-24.
- <sup>21</sup> Morison, *Puritan Pronaos*, p. 9.
- <sup>22</sup> Weeden, *Economic and Social History*, I, p. 230.
- <sup>23</sup> Alice Morse Earle, *Home Life in Colonial Days* (New York, 1910), p. 187.
- <sup>24</sup> Leyburn, *Frontier Folkways*, p. 28.
- <sup>25</sup> Weeden, *Economic and Social History*, I, p. 219.
- <sup>26</sup> *Conn. Col. Rec.*, I, pp. 92, 540.
- <sup>27</sup> *Ibid.*, pp. 47, 540.
- <sup>28</sup> Earle, *Sabbath*, pp. 266, 233-65, 312.
- <sup>29</sup> *Conn. Col. Rec.*, I, pp. 275, 301, 362; II, pp. 292, 293, 326, 328.
- <sup>30</sup> Leyburn, *Frontier Folkways*, p. 28.
- <sup>31</sup> Garvan, *Architecture and Town Planning*, pp. 103-104, 117-119; J. Frederick Kelly, *Early Domestic Architecture of Connecticut* (New Haven, Conn., 1924), pp. 6 ff.; Thomas Tilleston Waterman, *The Dwellings of Colonial America* (Chapel Hill, N. C., c. 1950), pp. 245-251.
- <sup>32</sup> Garvan, *Architecture and Town Planning*, pp. 104, 118-19.
- <sup>33</sup> *Ibid.*, pp. 116, 120.
- <sup>34</sup> *Ibid.*, pp. 18, 78, 99, 120, 149.
- <sup>35</sup> *Ibid.*, pp. 103-16, 119-120, 123, 125, 127-28, 149.
- <sup>36</sup> *Ibid.*, pp. 49-50, 120, 128.
- <sup>37</sup> *Ibid.*, pp. 81-83.
- <sup>38</sup> Wish, *Society and Thought*, p. 48; Kelly, *Early Domestic Architecture*, pp. 7, 13-14; Weeden, *Economic and Social History*, I, pp. 214-15.
- <sup>39</sup> *Ibid.*, p. 216; Kelly, *Early Domestic Architecture*, pp. 73, 77; Earle, *Home Life*, pp. 52-75.
- <sup>40</sup> *Ibid.*, pp. 76-107; Weeden, *Economic and Social History*, I, pp. 214-17.
- <sup>41</sup> Kelly, *Early Domestic Architecture*, pp. 13-14; 185-86.
- <sup>42</sup> Weeden, *Economic and Social History*, I, p. 214.
- <sup>43</sup> Waterman, *Dwellings of Colonial America*, pp. 246-47; Garvan, *Architecture and Town Planning*, pp. 84-102; Kelly, *Early Domestic Architecture*, pp. 21-61, 65-86.
- <sup>44</sup> *Ibid.*, pp. 62-64, 87-101; Waterman, *Dwellings of Colonial America*, pp. 247-48, 251, 278-79; Garvan, *Architecture and Town Planning*, pp. 85-87, 91-93; Wish, *Society and Thought*, p. 48.
- <sup>45</sup> Kelly, *Early Domestic Architecture*, pp. 78, 80, 132-163; Weeden, *Economic and Social History*, I, p. 214.
- <sup>46</sup> *Ibid.*, pp. 215-17, 399.
- <sup>47</sup> *Ibid.*, pp. 414-16.
- <sup>48</sup> Earle, *Home Life*, pp. 212-13, 300 ff.; Carl Bridenbaugh, *Cities in the Wilderness* (New York, c. 1938), pp. 116-17.
- <sup>49</sup> Dorfman, *Economic Mind*, I, pp. 13, 41-42, 56-57.
- <sup>50</sup> *Ibid.*; Miller, *New England Mind*, pp. 3-8, 14, 36-37, 40-41, 46-47; Earle, *Sabbath*, pp. 267, 318-19.
- <sup>51</sup> *Conn. Col. Rec.*, I, p. 64; II, p. 283.
- <sup>52</sup> *Ibid.*; Dorfman, *Economic Mind*, I, p. 35; Weeden, *Economic and Social History*, I, p. 226.
- <sup>53</sup> *Ibid.*, pp. 105, 228, 293; Dorfman, *Economic Mind*, I, pp. 13-14; Earle, *Home Life*, p. 287.
- <sup>54</sup> Weeden, *Economic and Social History*, I, pp. 418-19.
- <sup>55</sup> Miller, *New England Mind*, p. 46.

- <sup>56</sup> Weeden, *Economic and Social History*, I, pp. 74-75, 278-80, 417; Garvan, *Architecture and Town Planning*, p. 143.
- <sup>57</sup> Earle, *Sabbath*, p. 250; *Conn. Col. Rec.*, II, p. 61.
- <sup>58</sup> *Ibid.*, p. 88.
- <sup>59</sup> *Ibid.*, p. 280.
- <sup>60</sup> Wish, *Society and Thought*, p. 45; Earle, *Sabbath*, pp. 245-58; Weeden, *Economic and Social History*, I, pp. 223-24.
- <sup>61</sup> Earle, *Sabbath*, pp. 13-14, 90-112.
- <sup>62</sup> *Ibid.*, pp. 26 ff., 77-84, 316; Morison, *Puritan Pronaos*, p. 162.
- <sup>63</sup> *Ibid.*, pp. 163, 165.
- <sup>64</sup> Earle, *Sabbath*, pp. 113-124.
- <sup>65</sup> *Ibid.*, pp. 287-88, 292-310.
- <sup>66</sup> Morison, *Puritan Pronaos*, p. 163.
- <sup>67</sup> Miller, *New England Mind*, p. 56. See below, Ch. X.



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## Chapter VII

### Educational Institutions and Intellectual Development

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THE IMMEDIATE SOURCES of the intellectual life of Connecticut, as of all New England, seem to lie in the English universities. A number of university alumni migrated to Connecticut and were in a position to exert an influence disproportionate to their numbers. Most of them were parsons who were scattered throughout the settlements. Others were magistrates in a position to implement their convictions. It was at Cambridge that many of these leaders had studied theology, including divinity, or the nature of God and his relationship to nature and man, and ecclesiastical polity, or the organization of the church and its relation to the state. The non-separatist congregationalism which was transported to Massachusetts and Connecticut was largely the product of William Ames, a fellow of Christ's College, Cambridge.

#### *Intellectual Basis*

The Cambridge faculty united Renaissance and Reformation beliefs in Christian Platonism. They drew heavily on Petrus Ramus who had attended the College of Navarre when the reaction against scholasticism was at its height. Ramus had selected as his thesis, when he took his degree, "Everything that Aristotle taught is false." He followed this with a book criticizing Aristotelian logic and presented a new textbook of the science of logic. His logic enjoyed a great celebrity for a time. The system was generally accepted by the Puritans: Milton wrote a treatise on it. Ramus logic was taught at Harvard at least until 1686 when William Brattle, a tutor, placed Cartesian logic in the hands of his students. Logic was regarded as a divine instrument essential to all valid interpre-

tation and reliable construction, and a textbook in logic was even prepared for the Indians. Ames taught that logic was important as a method allowing orderly classification with proper heads and subheads, and according to Thomas Hooker, order by the received rules of logic was the fundamental principle in all activities. This order, by the Puritan's logical principle of relative and correlative, assumed always the subordination of an inferior to a superior, not an equilibrium of equals. Aristotle was dethroned, and Plato substituted. Authoritarianism continued in the guise of a new discipline and form. However, the substitution of Ramus' Platonic system gave Puritanism a philosophic structure. By Ramus' system, the founder's thought was limited in method and procedure to logical argument, premised on revelation, rather than to emotional appeal.<sup>2</sup>

The dogma, premised on the revelation of absolute and eternal principles predestined to govern all affairs, resisted change, and its tenets banned activities in certain fields such as drama, religious music, and erotic poetry. Intellectual life was not stifled, however, but even received its impetus from its religious base. Inherent in Protestantism—no matter how assiduously it is suppressed—is the principle of private judgment which promotes intellectual development. The Puritans were not opposed to science, and spoke of Francis Bacon with approbation. Eventually its arguments forced certain modifications though it did not lead to a rationalism that repudiated revelation. Moreover, the Puritans were of necessity defensive. In spite of absolute power within the community, their position within the empire fell short of the complete security that might have allowed complacency, yet gave them enough status to be argumentative. They also had to indoctrinate new generations with their convictions and train them to a competence to continue its management and defense. The Puritans were more successful in establishing institutions, the college, public schools, church, and town, in which to preserve, transmit, and nurture ideas, than they were in intellectual production.<sup>3</sup>

In addition, their intellectual life was important as an indication of the relation of thought to communal experience. The initial political, economic, and social provisions were transpositions of the systematic body of theory brought over from England. As it was applied in a social



context, however, certain modifications were made, and although the code resisted change, these were reflected in adjustments in thought.<sup>4</sup>

### *Educational Institutions*

Intellectual interest very early focused on the establishment of a college for the training of replacements for the graduates of English universities. In part, this was motivated by a desire to ensure a supply of educated ministers. Attention was given, however, to the liberal arts training of those who did not take advanced work in theology. This emphasized the Greek and Roman classics in accordance with the humanist interest. Schoolmasters, physicians, and civil officers had to be provided as well as theologians. On this basis, Harvard College was founded and served Connecticut and New Haven during the 17th century, for Yale in Connecticut was not founded until 1701. Connecticut and New Haven contributed to Harvard's support after 1644 when the New England Confederation requested every family in New England to give annually a quarter of a bushel of wheat, or a shilling in money, or the equivalent in wampum. Connecticut, in addition, granted a 20£ fellowship in 1653. Only a small percentage of the people of Connecticut were touched directly by education at Harvard, but its indirect impact was broad. Much of what the students learned was transmitted to the people through sermons and writings of graduates, through contact with college educated schoolmasters, and by writings of the students themselves in the almanacs which circulated widely.<sup>5</sup>

Interest extended to elementary and college preparatory training as well, and a certain amount of education was made a compulsory responsibility of parent or master. The Connecticut Code of 1650 provided that parents and masters teach, "by themselves or others," their children or apprentices so much learning as would enable them perfectly to read the English language and know the capital laws. The penalty was 20 shillings for each neglect. Children and servants were to be catechised at least once a week in the grounds and principles of religion, or "if any bee vnable to doe so much, that then at the least they procure such Children or Apprentices to learne some shorte orthodox Catechisme, without booke, that they may bee able to answer to the questions that shall bee propounded to them out of such Catechismes by their parents or



Masters or any of the Select men." Parents and masters were to teach children and apprentices some honest, lawful employment profitable to themselves and to the Commonwealth, if they "will not nor cannot train them up in Learning to fitt them for higher employments." This was compulsory education of a minimum sort, but as Jernegan has pointed out, it did not suggest that school attendance was necessary and should



The First School House in Hartford -- 1642.  
In those days it was called "Ye Skole Haws."

(Courtesy Mills Coll., Conn. State Lib.)

be distinguished from compulsory school attendance. The motivation was partly economic, since it was intended to insure that none would grow up without a means of maintenance and to provide poor relief where the parent could not care for the child; and partly religious, devolving from the Protestant emphasis on the necessity of reading the Bible.<sup>6</sup>

The provision of schools was compulsory under certain conditions, even though attendance at them was not. The early establishment of schools was practicable under the group plan of settlement which had been followed in New England, as it was not in plantation areas. The



Connecticut Code ordered every town of fifty families to provide a schoolmaster to teach all who came to him. This provision specifically tied the need of learning to the necessity of reading the Bible. These schools were public, but, again as Jernegan points out, a careful distinction must be made between public and free. The Code provided that the school master's wages should be paid either by parents and masters or by inhabitants in general "as the major part of those who order the prudentialls of the Town (e) shall appoint." It was provided that the charges to parents and masters not be excessive as compared to similar costs in other towns. A year's neglect carried a fine of 5£ to be paid to the next town maintaining such a school. In 1677, permission was granted to the towns to tax for the maintenance of such schools unless the town agreed upon some other way of maintaining the schoolmaster. In actual practice, there prevailed many combinations of mixed systems of public and private establishment, management, and support.<sup>7</sup>

Connecticut, at first, provided for the additional establishment of grammar schools, or Latin schools, in towns of 100 inhabitants. After Connecticut annexed New Haven and developed a county organization, it was provided that one grammar school would be maintained in each of the four counties. In 1677, a fine of 10£ was placed on a county town not keeping a grammar school and was to be paid to the next town that did so. In 1687, Connecticut distributed an amount of surplus revenue to the counties for their schools, but three years later it was decided to eliminate grammar schools in the two poorer counties and concentrate on the two in Hartford and New Haven. Each was granted 60£ in country pay, half from the colony treasury and half from a bequest from Governor Hopkins. Even these two principal grammar schools were not in continuous existence through every year of the century, and the masters complained that too much of their time had to be taken up with the more elementary instruction for which they were also responsible. The grammar schools were intended to serve essentially as college preparatory schools, emphasizing Latin and Greek grammar. Boys entered at seven or eight years old and were prepared for college in seven years.<sup>8</sup>

In its legislation, Connecticut essentially followed the Massachusetts revision of 1648. New Haven's system was based in part on that of Massachusetts, but included some new principles. It relied primarily on

laws stating parental and masters' responsibility, but established better machinery for locating negligence and more severe penalties. In New Haven, a money penalty was used for the first time. The education demanded was broader than in Massachusetts or in Connecticut. There was no special mention of trades, and all sons of inhabitants were to be taught to read and write and all daughters to read.<sup>9</sup>

After Philip's war, the enforcement of laws on compulsory education were weakened, and following the difficult period of 1675-86, the Andros regime had a deleterious effect on educational progress. A poor law, passed in March 1687/8 by the Andros regime repealed, in effect, all educational laws in New England, for it replaced the apprentice law without including the compulsory religious and educational clauses in previous laws which had applied to *all* children, not merely to poor children. When Connecticut resumed her government on May 9, 1689, the General Court voted that all laws in force when Andros took possession were again in full force, and Connecticut's charter enabled this to prevail, although a similar blanket reenactment in Massachusetts was disallowed. In 1690, however, a new Connecticut act was passed, which appeared to strengthen enforcement, but which actually excused any parent or master incapable of giving adequate instruction. In these circumstances, the memorization of a short catechism was accepted as fulfilling requirements. Thus religious instruction substituted for book education. The laws did continue to apply to all children, however, not merely to poor children.<sup>10</sup>

The laws indicate a minimum requirement rather than performance. In some cases this minimum was not met, as would be indicated both by the many fines and by the probability that towns were not always presented for lapses. There were instances, however, when the required minimum was exceeded. Several towns established schools before this was required by general legislation. New Haven took measures to establish a free school only three years after the colony was founded, engaging the most famous of all colonial schoolmasters, Ezekiel Cheever. Hartford was only a few months behind.<sup>11</sup>

The extensive criticism by the ministry and legislature is as significant for the concern which it evidenced as for the deficiencies indicated. That many could not read English, as charged by the legislature in 1690,



was of less consequence in the long run than the official concern with literacy. The ministers attempted to influence alteration of the conditions they charged: to counteract a tendency for parents to keep children working rather than to educate them and to eradicate objections to



*(Courtesy Mills Coll., Conn. State Lib.)*

NEW HAVEN—FIRST SCHOOLHOUSE, BUILT IN 1644 “ON THE MARKET PLACE NEAR WHERE THE UNITED CHURCH NOW STANDS.” (REDRAWN FROM OLD PRINT LOANED MR. MILLS BY WILBUR F. GORDY)

tax supported schools. The schools were public and cheap, though not free. They were secular, in the sense that teachers were required to be laymen. It was expected that no heresies be taught, but Connecticut, unlike Massachusetts, did not legislate to this effect. In towns too small to maintain a grammar school, ministers ordinarily prepared boys for college, and such private tutorial arrangements mitigated some of the deficiencies of the public schools based on public law.<sup>12</sup>

*The Printing Press*

An adjunct to the educational system and a factor in the dissemination of information was the printing press, the first of which arrived in New England in 1638 and was in operation by the next year at Cambridge. Just as Harvard College, this press had significance for Connecticut and New Haven. It not only printed the Bay Psalm Book, and President Dunster's revision of this, but also tracts, broadsides, laws, almanacs, catechisms, and primers. After 1660, when the English presses became very inhospitable, more creative works were printed including the Half-Way covenant tracts. In addition, English books and translations of continental works were reprinted. The press was subject to censorship from 1662 on. A licensing board, subject to review by the Massachusetts General Court, governed. An indication of the degree of censorship exercised is indicated by the instance when the board allowed a beginning on Thomas a Kempis' *Imitation of Christ* but the Court ordered the work ended. The astronomical essays by Harvard students were allowed to be included in the almanacs however and were effective in disseminating new learning in astronomy to the general populace. The Cambridge press was the only one in New England until 1675, when one was established in Boston. The authors dealt directly with the printer. Usually the author assumed cost and risk, although an arrangement by which the bookseller paid printing bills and promised a lump sum to the author was also used.<sup>13</sup>

*Books and Libraries*

There was a bookshop in New Haven and possibly in other Connecticut towns. In addition, hawkers and peddlers sold books through the country. For the most part the booksellers' stock consisted of importations from England or of private libraries put into their hands for sale. Possibly two-thirds of their stock was religious, but the remainder included law books, practical works, biography, romances, and some poetry. Bacon, More, Mandeville, and Milton were included among the authors.<sup>14</sup>

The generalizations possible about libraries would be that probably they were generally small, and the smaller they were the greater



would be the proportion of theological works. Inventories of parsons' libraries uniformly show enough medical titles to confirm the tradition that it was customary for the early ministers to practise medicine. The first settlers brought a number of private libraries to which they continued to add titles. The largest private library in New England seems to be that of John Winthrop, Jr. of Connecticut. Morison concludes that this contained over a thousand volumes by 1640. A remnant of 250 volumes, deposited in the New York Society Library, contains certain titles that were published after Winthrop's death and were added by his sons. One-half of the titles were in Latin, and the remainder included works in English, German, French, Dutch, Italian, and Spanish. The remnant contains 124 titles classified as scientific, which included works on alchemy, witchcraft, astrology, and occult lore. In the remainder are theological works, history, travel, philosophy, law, and sundry grammars and dictionaries. It is significant that some of the volumes show evidence of having been borrowed by Winthrop's friends.<sup>15</sup>

Except by special permission, Harvard's library, of 3,517 titles, the largest single collection in New England at the end of the century, was available to the Connecticut students enrolled there only if they were engaged in theological study. It was planned primarily for graduate students and was largely theological in content. Undergraduates were expected to procure their own textbooks. New Haven began a town library, with a legacy of books which belonged to Governor Eaton and his brother. The books in this legacy, about ninety titles, most of which were theological, were kept for thirty years and then sold by the town.<sup>16</sup>

### *Intellectual Production*

To some extent a test of these institutions was provided by the work of the second generation Puritans. The first generation, as Miller indicates, were essentially Europeans, who had been trained in England and considered themselves a part of the general stream of world history. The second generation, trained in the local institutions, were provincial and isolated. The outcome of their development was seen as disparate rather than integral to European development and, although they continued to receive and read accounts from abroad, these were now received as something foreign.<sup>17</sup> Morison points out that some of the

changes occurring in New England paralleled a literary depreciation in England and to the extent that this is true, diminishing literary quality should not be scored against local institutions and conditions. Moreover their production was the accomplishment of a small community. It was estimated that there were only 20,000 people in Connecticut in 1690. The quality of Gershom Bulkeley's political writing is enough to make the record a creditable accomplishment.<sup>18</sup>

Much of the effort of New England, as would be expected, was devoted to the preparation of sermons and other religious discourses. These reflected the influence of Ramus in their plain style and in the ordered enumeration of argument. Few points of controversial theology were posed, for the Church Synod of 1637 had defined the limits of permissible speculation and it was known that heresy would not be countenanced. Early in the period Thomas Hooker had engaged in the controversy over the concept of preparation and in the second half of the century John Davenport had led the pamphleteering opposing the baptismal compromise represented in the Half-Way covenant. It was only a layman who was considered to have transgressed the established bounds, however. This was William Pynchon, a resident of Springfield, who had figured in Connecticut history because of his opposition to monopoly. His book on atonement, *The Meritorious Price of our Redemption*, which was published in London in 1650, was publicly burned when a copy arrived in Boston. Pynchon was deprived of his magistracy and he returned to England rather than recant. In general, the works were mainly expository or defensive of orthodox stands.<sup>19</sup>

In the area of church polity, Connecticut residents made a distinct contribution. Here, Thomas Hooker's posthumously printed "Survey of the Summe of Church Discipline" was important. He undertook this work reluctantly at the deputation of fellow ministers, and his first finished version was lost at sea en route to London publishers. That which was published was a second writing which had not been completed at his death. Parrington calls it "crabbed prose, not altogether worthy of a man who kept the thorns crackling under the pot" as he lectured before congregations, but points, too, to the excellence of its defense of Congregationalism. Along with a work by Richard Mather



and one by John Cotton, Hooker's "Summe" served as constitutional law for Independent churches in England as well as for Congregational churches in New England.<sup>20</sup>

In the sermons, few of which were printed or preserved, the ministers took cognizance of secular matters. The changes that occurred were interpreted as defections, since the established arrangements were assumed to be transpositions of absolute and eternal principles. Changes, then, were catalogued as sins and lamented for the doom they would entail. These "Jeremiads", as Perry Miller calls them, are valuable for the information they give on such developments as the deterioration of regulatory efforts, the complaints of the lower orders and the complaints about them, the increase of trade, the unwillingness to support education and ministers, and the growing contention which was leading to increased numbers of lawsuits.<sup>21</sup>

The religious point of view colored the accounts of secular experiences contained in the histories, biographies, chronicles, and political tracts, produced in New England. These accounts attempted to demonstrate God's protective interest in the covenanted state even though he sometimes meted out stern punishments. The charge, made by Edward Wharton, a New England Friend, that Philip's war represented God's just vengeance on the Puritans for their Quaker persecutions, called forth many answers from the clergy. In these, it was agreed that the war was a divine judgment, but its cause was attributed to the immorality of inhabitants or to the laxity in the persecution of heretics. Personal narratives, which became popular and found a wide English market after the publication of Mrs. Rowlandson's account of her captivity, also attested to God's providences. To this Indian record, Connecticut contributed accounts of the Pequot wars by Captain John Underhill and Lion Gardiner.<sup>22</sup>

The most substantial political tract was "Will and Doom" by Gershom Bulkeley. Miller has judged this "a minor masterpiece."<sup>23</sup> In it, Bulkeley constructed a doctrinal basis for dissidence although his father, Peter Bulkeley, was one of the foremost theologians among the founders and a vehement prosecutor of Anne Hutchinson. Gershom Bulkeley, himself, graduated from Harvard, preached at New London, and then at Wethersfield, until he was relieved of his pastorate, osten-



sibly because of ill health and a weak voice. It has been suggested that his resignation was due rather to his inability to get along with his congregation. However, during his ministry he was chosen to give one annual Election Sermon and was frequently chosen by the General Court to serve on committees dealing with ecclesiastical matters, which



*(Courtesy Mills Coll., Conn. State Lib.)*

PLAINFIELD ACADEMY

indicates a degree of satisfaction and acceptance.<sup>23</sup> On the one hand, Bulkeley is credited with having played an influential role in foiling Andros, when, as Governor of New York, he sought to take over Connecticut in the name of the Duke of York in 1675. Bulkeley served in King Philip's war, nominally as Chaplain, but functioned as Surgeon, and after his retirement from the ministry he moved to Glastonbury where he practiced medicine and surgery. On the other hand, when



Connecticut was incorporated by Andros into the Dominion of New England, Bulkeley accepted an appointment as Justice of Peace of Hartford County. He declared that he did this reluctantly so that Connecticut would not be ruled by outsiders. His appointment placed him in the position of supervising the elected Town Commissioners and Selectmen in the collection of taxes.<sup>24</sup>

When Andros was imprisoned and Connecticut proposed to hold an election and resume her charter government, Bulkeley addressed a letter on May 8, 1689 to the convention in Hartford. This was later printed at Philadelphia as a pamphlet called "The People's Right to Election." In this, Bulkeley charged that many had advocated submission to Andros. Contemptuously, he pictured these as welcoming and courting Andros, and argued that "some sort" of consent was implicit in their submission. He concluded that submission had therefore nullified the charter, and Connecticut had committed suicide as a Body Politic and Corporate and could but exist on royal sufferance. From this premise it followed that the resumption of charter government would be illegal without specific authorization from the Crown.<sup>25</sup>

Bulkeley, also, printed a tract in New York which is not extant, and, later, set forth a paper of "Objections," elaborating his arguments. This was rewritten in 1692 and accompanied an address and petition sent by Bulkeley and others to the Governor of New York for transmission to the King. He chose the phrase "will and doom," which was used in the new tax legislation, as sufficiently symbolic of the arbitrary nature of Connecticut government for use in the title of this manuscript, which he further identified as "The Miseries of Connecticut by and under an Usurped and Arbitrary Power." This was not published until 1895 and received little attention at the time of its publication or later. It was buried, it has been suggested, because Bulkeley charged an undemocratic arbitrariness which did not accord with the growing legend of liberty and democracy. At the time of the controversy, Bulkeley's tracts were widely circulated in manuscript form, however, and caused a number of others to be written in answer.<sup>26</sup>

Bulkeley's writings are significant not merely as an individual expression of opinion, but as an articulation of an existent strand of discontent stemming from the exclusion from civil rights of many in-

habitants. Bulkeley's interpretations seem to be the referent for certain other individual challenges to the reestablished government, as, for example, when Major Edward Palmes of New London, the son-in-law of the first Governor Winthrop, complained of injustice at the hands of a "pretended court" of the colony. Also, Governor Slaughter of New York, in a letter dated May 6, 1691, referred to the many complaints of hardship and oppression which were transmitted to him by His Majesty's subjects in Connecticut and advised Governor Treat of Connecticut that those *who took upon* themselves the administration of government should use such methods as would avoid cause of complaint.<sup>27</sup> In Massachusetts the dissident element has been equated rather convincingly with the merchant group, which found that the established Puritan system did not promote their interests.<sup>28</sup> Bulkeley, himself, was not engaged in trade; however, he had been a minister in New London, the center of mercantile interests in Connecticut, and residents there, such as Palmes, were associated with him in the attempt to promote more direct control by the royal government.<sup>29</sup>

Bulkeley was far from championing any popular democratic alternative. He spoke against Puritan arbitrariness, but he spoke for an element which considered itself materially and intellectually superior to the ruling oligarchy and contemptuous of its asserted democracy which was considered to have sufficed to place rabble in a position of arbitrary power over their betters. Bulkeley's positive program is frankly authoritarian and arch-Tory. He asserted the divine right of kingly absolutism and championed a rule of law which should stem from this fountainhead rather than from the arbitrary will of the magistrates.<sup>30</sup>

Bulkeley's writings did not constitute a significant influence on Connecticut attitude and opinion even though both royalism and legalism came to be generally accepted. The people of Connecticut, however, followed another path to these conclusions. Christian liberties came to be equated with civil liberties. The people of Connecticut felt they had helped place William on the throne to end tyranny and to protect natural civil rights. They accepted the crown as the dispenser of charters and liberties. This acceptance entailed the further acceptance of the Act of Toleration which placed them in the position of



dissenters, a position tenable only by virtue of a tolerance which they had never before embraced. Connecticut accepted the reconciliation of royalism and its tolerance with their dogma as worked out by the Mather faction of Massachusetts rather than by Bulkeley. The basis was laid for law to assume a new importance. Before, divine and natural law had been equated and, as in both mediaeval and reformation theory, were held to bind the King, with violations freeing subjects from their duty of obedience. Now, with the new equation, they could accept Bodin's argument that the King was equally bound by common law.<sup>31</sup>

### *Witchcraft*

The extent to which this concept of legalism was needed was indicated by the witchcraft hysteria, which is conventionally used as a standard by which to judge the intellectual plateau of the 17th century. As such, it has the validity of indicating certain limits beyond which the colonists had not penetrated, but it should not be allowed to dim the progression that was quite as real.

In the early middle ages, faith was such that it was expected that a devil could easily be thwarted by a prayer or the sign of the cross. With the first traces of skepticism, the devil assumed more importance, and in the 13th century theologians worked out their theory of witchcraft and in the next assumed jurisdiction over witchcraft cases. Although Pope Innocent VIII in the 15th century inspired a long and concerted effort against witches, many in the Protestant movement considered the Catholic Church lax in enforcing the Biblical injunction "Thou shalt not suffer a witch to live." It was under the religious conflict of the late 16th and early 17th centuries that prosecutions reached their apex, with the Puritans in England and New England taking a prominent role.<sup>32</sup>

The first instance of the hanging of a witch in Connecticut occurred in Windsor, in 1647. The following year Mary Johnson was hanged at Hartford, it being concluded that discontent had driven her into familiarity with the devil, for "wishing the Devil to take that and t'other Thing, and the Devil to do This and That; Whereupon a Devil appeared unto her, tendering her the best service he could do for her," clearing her hearth and driving the hogs from the field and the like. In 1651, John and Joanna Carrington of Wethersfield were executed

for having “intertained familiarity with Sathan.” In the same year, Goody Bassit met death for a like crime. Trials continued in Connecticut during the next decade. In 1662, matters assumed panic proportions. At that time, Ann Cole, daughter of a Hartford carpenter, “was taken with very strange fits, wherein she (or rather the Devill as t’is judged) made use of her lips and held a discourse” which was used as evidence of witchcraft against several people. Three of these were tried and executed, one was acquitted, and two escaped by flight after being subjected to the water ordeal, to test whether with Satan’s aid they would float. Although there was another witch trial in Connecticut in 1670, there was no more panic in the colony. In all, however, to compare to the six executions in Massachusetts, there had been eight hangings in Connecticut.<sup>33</sup>

The witchcraft craze, perhaps, should not so much be regarded as a tragic anti-climax to scientific advance as a comment on the state of society and of the law that presided over it. Nor should Mather’s responsibility rest so much on the fact that he did not go beyond the times in discrediting the supernatural as because he did not speak out against judicial procedures which he considered invalid. The executions occurred not merely because people believed in witches, but, also, because they presumed that judges should be above criticism and should be assumed to be infallible in discerning and applying a law that represented God’s absolute justice.<sup>34</sup>

### *The Legal System*

The trials of the witches indicate the dependence of law on theology in Puritan communities. England’s legal system had not become entrenched in New England where Biblical law was felt to be higher and adequate and where English common law was not always applicable to contingencies that arose in the new environment. Also, there were too few lawyers and textbooks even to maintain any broad awareness of the traditions of English law. Laymen could not apply common law precedents, and lawyers, who asserted these in opposition to the Biblical applications of the magistrates, were unwelcome. The “higher law” concept of the Stoics and mediaeval schoolmen had been borrowed and equated to the law of nature and that to the law of God as revealed in the Bible.



The technical common law principles, which were intended to protect litigants, had been disregarded. Delays and protracted appeals were considered too expensive, and justice moved swiftly even at the cost of dropping valuable rules of sound evidence. Yet, that even the procedures accepted in the colonies as proper safeguards had been dropped was recognized by Mather. The magistrates in New England weighed charges with less critical exactness than did Virginia justices where the accused persons were not driven to confession by judicial pressure, there was no predisposition to judge their cases, and evidence was not twisted to bring about convictions. Mather recognized certain violations, but did not speak out, defending his silence subsequently by the Puritan tenet that magisterial judgment should be trusted and not criticized.<sup>35</sup> It was, perhaps, the general acceptance of this tenet among the populace which had permitted the course of justice in Connecticut.

Emphasis on witchcraft as an evidence of God's providential interest in New England did not promote a rational skepticism, of course, but it was but a part of what was still a general conviction which did not everywhere result in a frenzy of executions. These seem to be better explained by the existing legal procedures than by superstition.

### *Science*

At the time, witchcraft was generally still considered a class of phenomena such as light or heat and was being investigated as such by scientists. The Philosophical Transactions of the Royal Society of London contained much discussion of witchcraft. Such wondrous occurrences as of mermaids stranded on seashores were reported as news items. The 17th century was a century of genius in which beginnings in science led eventually to a rationalism that repudiated supernatural explanations of phenomena. To ascribe this subsequent rationalism to the century is as anachronistic as to ascribe 19th century laissez-faire concepts to it. Discovery, application, and generalization were slow and gradual.<sup>36</sup>

Science had just barely cast off its ill repute. The introduction of geometry and astronomy at Oxford in 1619 was met with disapproval and "many of the gentry refused to send their sons to be 'smutted with

the black art.' ”<sup>37</sup> The mediaeval Faust legend that one's soul was the price of acquiring scientific knowledge was still strong, and only beginning to be replaced by the fashion which dictated that every squire had to have his own laboratory for his investigations. New England was quite in step, with Winthrop, Jr., typifying the fashionable scientific interest. He not only practised medicine, prospected for minerals, developed iron and salt works, but also was interested in optics and astronomy and alchemy. It was his gift of his telescope to Harvard that enabled Brattle's contributions there. He illustrated, too, the quickening in the transmission of information that was an important new stimulant to the intellectual endeavor. He was a member of the Royal Society of London and engaged in a copious correspondence with its members. Winthrop was not the only person in Connecticut illustrating these patterns. Two of the friends with whom he exchanged books, Jonathan Brewster and Gershom Bulkeley, also, had laboratories, the former at his trading post and the latter at his parsonage.<sup>38</sup>

The idea of experimentation had gained respectability and was being accepted by the settlers. It was as late as 1633 that Galileo was forced to recant. Yet Harvard apparently adopted the first satisfactory popular exposition of the Copernican system soon after it appeared in 1656. This was the basis of a popular essay on astronomy by a Harvard student in the 1659 New England Almanac. The essay went so far as to say that scriptural texts in apparent conflict should not be taken literally, for God was writing for common people and often in parables, rather than attempting to indicate the nature of his universe. Even the most conservative clerics, such as John Davenport at New Haven, who were in disagreement, merely said let the author enjoy his opinion. From 1659 on, almost all of the almanacs contained popular essays on the new astronomy. The clerical leaders in the colonies were not hostile to the principle of scientific investigation, and were even receptive to the new scientific theories, helping to propagate them. But their effort went no further than an attempt to reconcile the new findings to the old dogma. Theologians were reluctant to relinquish the comets, which dotted the century, to science. Even while admitting that they proceeded from natural causes, the clerics still contended that they were divine portents of disasters. No significant contribution was made by inhabitants of Con-





*(Courtesy Conn. State Lib.)*

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necticut to scientific fact or theory, but they admitted findings which served as corrosives.<sup>39</sup>

Although there was no antagonism toward scientific investigation and even a receptivity for its theory, the accomplishments of science still left much advance to the future as is shown in its application in the field of medicine. In the colonies, medical practice was not regulated nor doctors accredited as in England. Anyone could practise medicine who wished to do so, the extent of his practice being determined by



popular evaluation of his effectiveness. An interest in anatomy presaged advance and was evident in New England as well as in Europe. The advance was slow, however. The autopsy performed by Dr. Bryan Rositer in Hartford in 1662 merely proved to the doctor's satisfaction that the child had died of witchcraft. In addition, there was a suspicion of milk and water but no investigation of this unless one could so interpret Winthrop's clandestine taking of a cup of water daily, which gossip reported, as experimentation in this field.<sup>40</sup>

There had been enough advance that the belief in witchcraft no longer attributed the cause of every disease to Satan and forbade the use of drugs. The drugs used, however, although manufactured laboriously with mortar and pestle, must have fallen short of the claims made for them. Typical information was contained in a letter from Dr. Stafford of London to Governor Winthrop of Connecticut in 1643. To prepare a cure for smallpox, plague, purples, and poison, "in the month of March take toads as many as you will alive, putt them in an earthen pott, so that it may be half full; cover it with a broad tyle or Iron plate; then overwhelme the pott so that the bottom may be uppermost; put charcoales around about it. . . . Sett it on fire and lett it burn out and extinguish of itself; when it is cold take out the toades, and in an Iron mortar pound then very well. . . . Moderate the dose according to the strength of the partie."<sup>41</sup> Perhaps it was fortunate that most of the doctors were ministers, who could supplement their drugs with a prayer.

### *Relation of Thought to Experience*

The relation of thought to experience is best shown by the subtle changes which occurred in theory. These evidence an adjustment to experience as applications of the doctrine of absolute predestination were worked out in a social context. This doctrine was made convenient for societal purposes first through modification by the doctrine of preparation, which shifted emphasis to behavior as a preparatory work preliminary to election. It was evident that the problem had social bearings. A man engaged in an effort at preparation would be forced to try to perfect his external behavior and so would exert himself toward exactly that obedience required to fulfill the national covenant—even though he eventually went to hell. This controversial issue concerning



preparation in predestination theory was driven into the open through American experience and solved as most practical for controlling conduct.<sup>42</sup>

The concept of a preparation phase was developed and accepted gradually as the need and advantages were evidenced. The growth of the idea and of the awareness of its social implications has been traced in the covenant theologians by Perry Miller. He concludes that the question appeared as a hidden issue in the Antinomian crisis of 1637. It was not then an articulated doctrine and so figured deceptively as an incidental argument with Mrs. Hutchinson, who denied that such a phase of conversion existed. It was recognized at the time that the admission of this step was necessary to the maintenance of government. Winthrop said of Mrs. Hutchinson's revelation and faith that "she walked by such a rule as cannot stand with the peace of any State." With Mrs. Hutchinson's fall the New England mind was committed to the concept which was developed largely by the socially minded Thomas Hooker. With his disciples, Thomas Shepard and Peter Bulkeley, Hooker secured wide acceptance of the idea that there was an "order" of progression in God's proceedings. The most ominous exception to this acceptance was John Cotton, who had been close to Anne Hutchinson's belief in the first place, although he made satisfactory recantation. Again, in this quarrel, Cotton was forced to concede that the soul's apprehension of Christ was "in order of nature before God's act of justification." With the conversion stages admittedly separate and sequential it was possible to ascribe a greater importance and a longer duration to the period of preparation.<sup>43</sup>

On this point, Cotton's influence was less than that of Hooker and Shepard, and it was their tradition which was revitalized by Jonathan Edwards. At first, the position was attacked in England as approaching a sophisticated Arminianism that constituted a desertion of the dogma that gestures should be considered consequents of grace rather than antecedents. England came to welcome the interpretation, however, after the upsurge of Antinomian frenzy in her Civil wars. This approbation enhanced the prestige of the concept and made it a prized possession of New England orthodoxy.<sup>44</sup> Some confusion prevailed until about 1690, but by then "by a long road, through a thicket of scholastic dis-

tinctions and metaphysical dispute, the leaders of New England came to this highly pragmatic—and socially advantageous—injunction.”<sup>45</sup>

Preparation gave a broader hope which was supposed to induce desired external behavior. In the effort to maintain control a more radical accommodation was made in reduction of standards for church membership. In the beginning the emphasis had been on exclusiveness: only those who exhibited signs of election were to be admitted to church membership. It was recognized that not all of those admitted to church membership might be of the elect, but it was believed that visible sainthood corresponded to election closely enough for practical purposes. The system depended merely on a small core of saints whose numbers did not matter if they had power. It was expected, too, that since God had promised himself to Abraham and his seed, the children of saints were probably predestined to election as well. The children members were therefore baptized in the expectation that they would replenish the core of saints, which could be small, but must not be extinct. Since experience showed that many of these children did not make professions when they were adults, and, as control of the majority through the civil arm and through aspiration became more difficult, it became necessary to enlarge the church and keep it alive through discreet conversions in order to maintain its power.<sup>46</sup>

The retreat from the perfectionism with which the Congregationalists had earlier been charged was a definite and general move before the century's end. Hooker, in the presentation of church discipline on which he was working at his death, defined the qualifications for admission with a latitude which was a startling contrast to earlier pretensions. If a man professes faith, does not live openly in sin, has some knowledge, and can give a reason for his hope, “these be grounds of probabilities, by which charity poised according to rule may and ought to conceive, there be some beginnings of spirituall good.”<sup>47</sup> Instead of the accusation of perfectionism, there was now the charge of hypocrisy to be faced. The new latitude was defended by a rationale written by John Cotton: though people have no real sanctification, they had gifts, and as long as they kept up their outward semblances they were serviceable and useful in the execution of the national covenant. The covenant was premised on the proposition that the regenerate do good works freely as a conse-



quence of faith rather than through compulsion, and its administration depended upon the principle of consent through a positive act of will. The acceptance of church membership gave a semblance of free will, and, in addition, induced obedience, if only because of a false impression of an individual that he willed it to be so. Since that which was good, just, and honest was logically defined and authoritatively stated this mere conformity would help. The principle of exclusiveness had not been given up and membership was still restricted enough to exclude the majority.<sup>48</sup>

There were not enough of these discreet conversions to make up the difference between the number of anticipated professions and the actual number of professions of descendants. It had not only been expected that the baptized children of members would grow up to be professing Christians but that then their children would be baptized and further replenish the core in their turn. It had not been anticipated that the second generation would not profess and the inclusion of the third generation in the face of this omission had not been clearly indicated. The problem grew acute both because of the necessities of the church and the pressure of opinion. Hooker said that it was necessary to find some way by which successive generations could be "inserted by a way of nature" into the church. The first generation, as Cotton Mather pointed out, could not bear to see their grandchildren excluded from the benefits of being brought up in the church discipline, and the large birthrate had increased the urgency. These considerations were factors in the disposition of the problem.<sup>49</sup>

The 1646 Synod had hedged on the question in the Cambridge platform, merely saying that the "children of such, who are holy" were to be baptized. The majority report of the Synod of 1662 arranged that a baptized but unconverted child, upon becoming an adult parent and presenting his own child for baptism, should publicly profess assent to the covenant made in his infancy, not in order to partake of the Supper, but in order that his offspring might be externally sealed to the Church. This brought more under the discipline and government of the Church, yet kept control in the hands of the dependable, for the parents were still denied the Lord's Supper and the right to vote in spite of their formal reaffirmation. Neither the idea of voluntary participation

nor of exclusion had been sacrificed. It was difficult, however, to gain acceptance for the arrangement.<sup>50</sup>

A minority of clerics, generally composed of the first generation, argued logically on the basis of original concepts against the arrangement. The majority of clerics, composed, in general, of second generation Puritans, argued for the arrangement on the basis of a necessity demonstrated by New England experience. On the basis of Cotton Mather's testimony, it would seem that this division was reversed in the case of the laymen, with the first generation members approving of the arrangement in the interest of their grandchildren. The majority of laymen were not professing Christians nor even baptized children of such and supported the minority clerical opinion. Probably their opposition was not because they were "scrupulous about any innovation" as Miller accepts, but because the arrangement was expected to confer special privilege on a preferred group. They opposed an arrangement that seemed to halt a leveling process.<sup>51</sup>

In Connecticut, the conflict that ensued was especially violent and was confused with political expediencies. John Davenport at New Haven led the opposition to the half-way covenant and led the congregation to share his antipathy.<sup>52</sup> In 1666, the Church of Hartford gave representation to both points of view in its selection of two ministers. Division spread to other churches as they became involved in attempts to moderate the quarrel. At the same time, William Pitkin and six inhabitants of Hartford complained to the General Court that although they had been baptized in England they could not gain admittance for themselves nor baptism for their children in Connecticut. So that this accusation would not be carried to London, the General Court wanted the churches to enlarge the covenant to accept the Synod proposal and Pitkin. An impasse continued, however, and was recognized in the recommendation of the committee of ministers that both ways be allowed. Legislation to this effect was passed in 1669. The divisiveness, rancor, and general confusion was epitomized by the secession of one group of the Hartford Church, which then decided to institute the Half-Way Covenant against which they had begun their revolt.<sup>53</sup>

After 1671, when Increase Mather, who had been allied with John Davenport, came over to an acceptance of the Synod of 1662, certain



phases of the controversy ended. The pamphleteering among the clerics ceased and most of the people accepted the arrangement. The issue continued as a power struggle between individual clerics and dissenting members in their congregations for the control of church management. Congregational theory had assumed that the minister would hold a veto as a separate power in a Congregation. Men of influence, creditors or employers, would serve as lay elders or deacons, and thus their possible disaffection would be turned into submissive alliance. This was contemporaneously described as "a speaking aristocracy in the face of a silent democracy."<sup>54</sup> When there were large numbers of the congregation in opposition, the Elders tried to eliminate the minister's veto power and reduce his voice to the weight of a single vote. As the Half-Way Covenant gained acceptance and the dissenters found themselves a very small minority, they demanded for themselves the right to block the minister and a majority vote on the grounds of their standing in the community. In many instances, their temporal power actually gave the Elders effective control.<sup>55</sup>

The ministers had recourse to sermons emphasizing obligations and the consequences of not meeting them. They, also, considered who might be drawn in to improve their power position. By 1680, they were prepared to accept into half-way membership many formerly considered unregenerate. By 1684, it was the general practice to receive into half-way membership any who were willing to be included, if they were of decent conversation and had a competency of knowledge. Admission to this inferior status allowed one the privilege of presenting his children for baptism, and many accepted it. The ministers gained from the obedient support of these half-way members even though they had no vote in the Church. They did make up the inhabitants who voted in the town meeting, and here the minister's salary was determined. Moreover, an ability to influence these votes on issues in town meeting might strengthen a minister's position in church meeting.<sup>56</sup>

Such an extension of the Half-Way Covenant had not been anticipated when the compromise was made. Nor had it been anticipated that active interest in the church would diminish even as membership was enlarged. With baptism otherwise assured for their children, few found the privileges of full membership commensurate with its duties

and services. In several towns the numbers of professing members declined until scarcely five or six attended the Lord's Supper. Church authority had been extended over large numbers, but their passivity robbed the authority of all power. To stimulate a more active sense of membership and obligation, there was begun the practise of a communal renewal of the covenant. Though it became a group chant rather than an individual affirmation, it was still a form of active assent paralleling an oath before witnesses. It proved to be an effective stimulant and came into general use in King Philip's War. By a resolution of the Synod of May 1680, it became an accepted form.<sup>57</sup>

The arrangements were made to increase the control of the church and to increase the possibilities of replenishing the supply of saints. It seemed that these would be served by increasing the number of those who voluntarily submitted to church discipline and if many children were baptized and trained in church discipline. In operation, the arrangements did not work quite as expected, but they did constitute concessions forced by the social exigencies concomitant with maintaining church rule.<sup>58</sup>

## NOTES—CHAPTER VII

<sup>1</sup> Morison, *Puritan Pronaos*, pp. 16-17; Miller, *New England Mind*, pp. 11-13, 221.

<sup>2</sup> *Ibid.*, pp. 12, 14, 238; Wish, *Society and Thought*, pp. 6, 16, 20; Brinton, *Ideas and Men*, pp. 269-71; Dorfman, *Economic Mind*, pp. 13, 36-37.

<sup>3</sup> Brinton, *Ideas and Men*, pp. 312-13, 356-58; Miller, *New England Mind*, pp. 11-12, 14; Morison, *Puritan Pronaos*, pp. 3, 11, 21, 265; Marcus Wilson Jernegan, *Laboring and Dependent Classes in Colonial America, 1607-1783* (Chicago, c. 1931), p. 64.

<sup>4</sup> Miller, *New England Mind*, p. 14.

<sup>5</sup> Morison, *Puritan Pronaos*, pp. 25-31, 34-37; *Conn. Col. Rec.*, I, pp. 112, note, 250, 355.

<sup>6</sup> Jernegan, *Laboring and Dependent Classes*, pp. 84, 88-89; *Conn. Col. Rec.*, I, pp. 520-21.

<sup>7</sup> *Ibid.*, pp. 554-55, and II, p. 312; Jernegan, *Laboring and Dependent Classes*, pp. 69, 82.

<sup>8</sup> *Conn. Col. Rec.*, I, p. 555, II, p. 312; Morison, *Puritan Pronaos*, pp. 66, 86, 95-98.

<sup>9</sup> Jernegan, *Laboring and Dependent Classes*, pp. 97, 102, 104-5.

<sup>10</sup> *Ibid.*, pp. 102-3 ff., 234, note, 107-11; Morison, *Puritan Pronaos*, pp. 92-4.

<sup>11</sup> *Ibid.*, pp. 61-62.

<sup>12</sup> *Ibid.*, pp. 70-73, 87-89.

<sup>13</sup> *Ibid.*, pp. 110-123.

<sup>14</sup> *Ibid.*, pp. 125 ff.

<sup>15</sup> *Ibid.*, pp. 130-2, 136-38, 242.

<sup>16</sup> *Ibid.*, pp. 142-43.

<sup>17</sup> Miller, *New England Mind*, pp. 5-6, 8.

<sup>18</sup> Morison, *Puritan Pronaos*, pp. 149-52.

<sup>19</sup> *Ibid.*, pp. 152, 161, 165; Miller, *New England Mind*, pp. 94 ff.

<sup>20</sup> Morison, *Puritan Pronaos*, p. 167; Vernon Louis Parrington, *The Colonial Mind, 1620-1800* (New York, c. 1927), p. 62.



- <sup>21</sup> Miller, *New England Mind*, pp. 25-38, 40, 48.
- <sup>22</sup> Morison, *Puritan Pronaos*, pp. 173, 179-86.
- <sup>23</sup> Miller, *New England Mind*, pp. 151-2; Charles J. Hoadly, Introduction to "Will and Doom" in *Collections*, Conn. Hist. Soc., III (Hartford, Conn., 1895), pp. 71-73.
- <sup>24</sup> Miller, *New England Mind*, pp. 152-53.
- <sup>25</sup> *Ibid.*, p. 152; *Collections*, Conn. Hist. Soc., I, pp. 57-83.
- <sup>26</sup> *Ibid.*, III, Hoadly's introduction to "Will and Doom," pp. 74-76; Morison, *Puritan Pronaos*, p. 197; Miller, *New England Mind*, p. 152.
- <sup>27</sup> *Collections*, Conn. Hist. Soc., III, Hoadly's Introduction, p. 73.
- <sup>28</sup> Miller, *New England Mind*, pp. 135-37, 149-51; Bailyn, "New England Merchants," pp. 127-34, 280-87, 296, 319-20, 351-52, 389-95.
- <sup>29</sup> *Collections*, Conn. Hist. Soc., III, Hoadly's introduction, p. 73.
- <sup>30</sup> Miller, *New England Mind*, p. 141; Gershom Bulkeley, "Will and Doom or The Miseries of Connecticut by and under an Usurped and Arbitrary Power" (written 1692) in *Collections*, Conn. Hist. Soc., III, pp. 79 ff.; Bailyn, "New England Merchants," p. 395; Morison, *Puritan Pronaos*, pp. 199-200.
- <sup>31</sup> Miller, *New England Mind*, pp. 157-171.
- <sup>32</sup> Thomas Jefferson Wertenbaker, *The First Americans, 1607-1690*, (New York, c. 1927), pp. 142-45; Wish, *Society and Thought*, pp. 18-19, 41.
- <sup>33</sup> Wertenbaker, *First Americans*, pp. 151-55.
- <sup>34</sup> Miller, *New England Mind*, pp. 191-208; Wish, *Society and Thought*, pp. 42-44.
- <sup>35</sup> *Ibid.*; Miller, *New England Mind*, pp. 191-208, esp. 204; Wertenbaker, *First Americans*, p. 147.
- <sup>36</sup> Wish, *Society and Thought*, p. 19; Brinton, *Ideas and Men*, pp. 312-14, 334 ff., 366-67; Wertenbaker, *First Americans*, p. 163.
- <sup>37</sup> Wish, *Society and Thought*, p. 18.
- <sup>38</sup> Brinton, *Ideas and Men*, pp. 337 ff.; Morison, *Puritan Pronaos*, pp. 242-47.
- <sup>39</sup> *Ibid.*, pp. 235-38, 240-41, 262; Miller, *New England Mind*, pp. 142-45.
- <sup>40</sup> Wertenbaker, *First Americans*, pp. 165-73; Earle, *Home Life*, pp. 147-48.
- <sup>41</sup> Wertenbaker, *First Americans*, pp. 167, 173-74.
- <sup>42</sup> Miller, *New England Mind*, pp. 55-57.
- <sup>43</sup> *Ibid.*, pp. 55-66.
- <sup>44</sup> *Ibid.*, pp. 57-58.
- <sup>45</sup> *Ibid.*, pp. 66-67.
- <sup>46</sup> *Ibid.*, pp. 11, 71-72.
- <sup>47</sup> *Ibid.*, p. 76.
- <sup>48</sup> *Ibid.*, pp. 68-72, 76-80, 87, 104.
- <sup>49</sup> *Ibid.*, pp. 93-96.
- <sup>50</sup> *Ibid.*, pp. 90, 94-100.
- <sup>51</sup> *Ibid.*, pp. 96-99, 105.
- <sup>52</sup> That the new charter had forcibly untied New Haven and Connecticut did not promote compromise. Davenport left New Haven to accept a ministry in Boston as a better point from which to denounce the Synod of 1662 and stirred up considerable controversy there. See Miller, *New England Mind*, pp. 106 ff.
- <sup>53</sup> *Ibid.*, pp. 105-106.
- <sup>54</sup> Quoted in *Ibid.*, p. 110.
- <sup>55</sup> *Ibid.*, pp. 95, 106-11.
- <sup>56</sup> *Ibid.*, pp. 112-13.
- <sup>57</sup> *Ibid.*, pp. 114-16.
- <sup>58</sup> *Ibid.*, pp. 82, 87, 90, 104.

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## Chapter VIII

### The Legend of Liberty

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CONNECTICUT HAD SECURED a charter and had absorbed New Haven, but neither she nor her neighbors regarded her boundaries as settled, and her charter rights were challenged as political fortunes and colonial policy changed in England. Massachusetts regarded the line separating her from Connecticut as indefinite; Rhode Island disputed the eastern line; and Connecticut was unwilling to accept the loss of western territory, which was not only being claimed by the Duke of York, but which The Netherlands intended to reclaim. Undivided attention could not be given to the settlement of these boundary disputes for it was the eve of the bloodiest of the Indian wars and the beginning of the Crown's efforts to exercise the royal prerogative through the instrumentality of a Governor of The Dominion of New England. As Connecticut maintained her part in the solution of these issues, a legend of liberty was born among her people.

#### *Boundary Disputes*

Controversy over Connecticut's boundaries extended over two centuries. These controversies originated in dubious land titles, imprecise boundaries, ambiguous charters, ambition, and avarice. Solution was complicated by the imperial designs of Charles II and intensified by cultural variations and religious differences. Final determination was accomplished by gradual and separate delimitations.

Differences with Rhode Island stemmed from the inclusion in Connecticut's charter of lands claimed by Rhode Island.<sup>1</sup> Dr. John Clarke apparently had filed a final petition for the Rhode Island charter



a few days before Winthrop, Jr., had filed for Connecticut. While the two petitions were under consideration, there were recurrent reports in Rhode Island that Connecticut was seeking his Majesty's consent to enslave its neighbors.<sup>2</sup> Historians are far from agreed on the degree of Winthrop's duplicity in arranging the settlement which was favorable for Connecticut. Certainly he secured support for Connecticut from many individuals, and stated that he spent close to 3,000 pounds in securing the charter.<sup>3</sup> That part of the Rhode Island claim swallowed in the Connecticut grant was of especial interest to the Atherton Company,<sup>4</sup> a land company in which many leaders of New England, including Winthrop, had a private interest. The Company of Puritans would not have wished to be under the jurisdiction of Rhode Island which they loathed and may have contributed funds for Winthrop's use.

Rhode Island acted promptly to counter the effect of the grant to Connecticut. Its agent in England asked for a recall of Connecticut's charter and opened negotiations with Winthrop, Jr. Arbiters were selected jointly by Winthrop and Clarke and have been referred to as a "fair minded group."<sup>5</sup> The pressures exerted by the Atherton group remain veiled, but in their employ were individuals adept in political machinations, such as Captain John Scott, whose services, Winthrop wrote his Narragansett partners, would undoubtedly give Connecticut an advantage.<sup>6</sup> The arbiters authorized the Atherton group to decide for themselves whether to accord allegiance to Rhode Island or to Connecticut.<sup>7</sup> The group accepted the Pawcatuck River as the western boundary of Rhode Island. In what appeared to be an attempt to reconcile this settlement with the Connecticut charter, it was suggested that the Pawcatuck be known as the Narragansett River.<sup>8</sup>

The Connecticut General Court refused to recognize the negotiated settlement. It was contended that Winthrop's agency had terminated when the Connecticut charter was secured and that he was without authority to make agreements with other colonies. Connecticut asserted a claim to the whole of the Narragansett territory which encroached not only upon the Rhode Island claim, but, also, upon that of Massachusetts to the Pequot country. The latter Connecticut claimed by right of conquest and prior occupation.<sup>9</sup>



The matter was reviewed by the New England Confederation. Rhode Island's protests against Connecticut's legalized robbery met with little sympathy. Rhode Island had been excluded from membership in the New England Confederation because she was "otherwise minded."<sup>10</sup>



*(Courtesy Mills Coll., Conn. State Lib.)*

RIDGEFIELD—KEELER TAVERN

Winthrop, when he was pleading for the Connecticut charter, had charged her with encouraging "vileness of opinions and corruptness of Manners."<sup>11</sup> Her practice of toleration was regarded with antipathy by other New England states. At least two of the Commissioners of the Confederation, moreover, were members of the Atherton Company, which had already indicated its preference for Connecticut's jurisdiction by delivering to it the town of Narragansett. The Confederation, in September, 1664, found that the conduct of Rhode Island in the



Narragansett territory had been “unneighborly,” “unchristian,” and “dishonorable to God.”<sup>12</sup>

A royal commission, which arrived in 1665 to adjust all matters of colonial relations, declared the Atherton claims void and gave Rhode Island temporary jurisdiction over the Narragansett territory pending final determination by the Crown. Charles II took no action and the contest continued for more than seven decades.<sup>13</sup>

The boundary dispute between the “affectionate friends & confederates,” Massachusetts and Connecticut, was caused by the incompetence of two surveyors, Nathaniel Woodward and Solomon Saffrey. They fixed a point approximately three miles south of the Charles River as the beginning of the southern boundary of Massachusetts. Then they sailed around the Cape and up the Connecticut River to the general vicinity of Windsor. Here they selected a point which they supposed to be at the same degree of latitude as their starting point in Massachusetts. As the boundary was then drawn, its western point was eight miles south of the present northern limits of Connecticut and the eastern point was four miles south of the present limit. Connecticut was quick to discover the error and to appeal, unsuccessfully, to the New England Confederation in 1649. As Connecticut expanded, the line appeared more restrictive and its clarification became a dominant issue. Joint surveys were proposed, but independent surveys invariably were undertaken, and, invariably were followed by remonstrances. As the area became more densely settled, ill feelings were intensified by border raids, thefts, and insults. First Connecticut, and then both colonies, made representations to London, which were answered by efforts to control both more strictly.<sup>14</sup>

Connecticut was not disposed to accept as final the loss of certain areas included in the grant of the Duke of York and drew support from the inclinations of the residents of those portions. That the rule of New Netherlands was superseded by the control of the Duke of York did not eliminate differences in religion, custom, and political concept between the inhabitants of the English settlements included in the area and the established government. The settlers on Long Island grew apprehensive of the new order only when it was learned that the Duke’s laws did not recognize popular consent as the basis of government nor provide for

any representative assembly. They had expected that the new regime might be, indeed, more liberal than Puritan control. Their desire for a liberalization of certain specific restrictions, however, did not cause them to countenance a basic alteration of institutions. From the beginning, there was difficulty in collecting taxes. A levy for fortifications was refused by several towns which had vainly petitioned for an assembly on the specific grounds that the levy was "taxation without consent." The Duke of York ceased demanding a tax from the eastern towns and asked only a benevolence when war with the Dutch threatened. Even to this, five towns submitted only when advised by Hartford to do so, and Southampton limited herself to a promise of neutrality.<sup>15</sup>

When the Dutch were in control, Connecticut continued "to attend to what was devolved upon ourselves"<sup>16</sup> until reduction of the Long Island towns was threatened. Connecticut then mustered her forces<sup>17</sup> and, in Puritan tones, informed the Dutch that she was "tender of the effusion of blood," but would join with the Long Island towns if they were attacked. In a more majestic manner she warned the Dutch further: "if you proceed in provocations to constraine the rising of the English colonies they will not make it their worke to tamper with your peasants about swearing, but deale w<sup>th</sup> your headquarters."<sup>18</sup> Connecticut was able to reap the blessings of this stand without taxing her sensibilities over the effusion of blood, for the conflict between the English and the Dutch was concluded by the treaty of Westminster on February 9, 1674.<sup>19</sup> Connecticut yielded to the pleas of the towns and accorded representation in her General Court to Southold, Southampton, and East Hampton. These petitioned the King for confirmation and explained to Sir Edmund Andros, then governor of New York, that Connecticut had aided them in repelling the Dutch and their "sympathies lay across the Sound." Andros was not persuaded to compliance with their wishes, and, instead, forced the towns to submit to the reestablished English rule in New York.<sup>20</sup>

Andros was equally determined to secure the Duke of York's claim to all the territory from the west side of the Connecticut River to the east side of the Delaware, as the grant had been defined when first bestowed upon the Duke of York at the conclusion of the Dutch War



in 1664.<sup>21</sup> At that time, however, the Connecticut General Court had sent the royal commissioners a gift of some fine horses and 500 bushels of corn and instructed its representatives to arrange the bounds between the Duke's patent and Connecticut's "so as in their judgment may be the satisfaction of the court."<sup>22</sup> The King's commissioners had been no match for the Puritan emissaries, who pleaded earnestly for moderation of the Duke's claim lest Connecticut be deprived of "her very bowels and principal parts." The commissioners agreed that the claim would ruin Connecticut and that it was obviously a breach of her charter that would "cast dishonor upon his majesty." Perhaps in the belief that they were agreeing to a line somewhat similar to that stated in the Treaty of Hartford in 1650<sup>23</sup> which provided for a boundary between the Dutch and the English well removed from the Hudson, the Royal Commissioners agreed to a line that was to extend to the west slopes of the Catskills in New York. The line was to begin at the Mamaroneck River and to extend north, northwest to an extension of the Massachusetts line.<sup>24</sup> This was a more favorable concession for Connecticut than Stuyvesant had made in the Hartford treaty.

After the final expulsion of the Dutch in 1674, the Duke of York had appointed Andros governor under a new patent which once again included all land east to the Connecticut River. When Andros demanded the territory, Connecticut submitted the terms of her charter of 1662, those of the agreement of 1664, the fact that Connecticut had effectively occupied and defended the territory, and, finally, the interpretation that Connecticut did not have power to dispose of any of His Majesty's plantations.<sup>25</sup> Andros gave substance to his claim by appearing in force before Saybrook in 1675. Connecticut urged the greatest discretion in dealing with him, but moved to block his landing. At just this moment, both colonies were endangered by the outbreak of an Indian war, and Andros withdrew from Saybrook and let matters rest until the conclusion of King Philip's War.<sup>26</sup>

### *King Philip's War*

Intercolonial disputes yielded precedence to the threat of the Indian quarrel. There had not been a general Indian uprising since the Pequot war, but the restlessness of the Indians had long been increasing.

John Easton, in his "Relacion of the Indyan Warre,"<sup>27</sup> reported that on the eve of the new outbreak there existed a lack of trust deeply rooted in the years of contact with the white man. Peace hinged upon the determination of an Indian King, Philip, who had pledged his friendship in 1671 and had more recently declared that he would not harm the English. English credence of these reassurances was tempered, however, by the information they received that Philip was plotting war. Philip indicated that he feared the English would seek retribution against him because they believed him implicated in the murder of another Indian, for which crime they had already sentenced three Indians to death. In a sense, any Indian outbreak was defensive, and Philip's statement comes close to an articulation of security as the cause and justification of his war. The English believed war so near that Rhode Island attempted to arbitrate. Philip refused this arbitration and war started the next week.<sup>28</sup>

In Connecticut, the colony was placed in a state of defense. Certain colonial troops were directed to attempt to track down Philip, and others, under the command of Captain Hutchinson of Massachusetts, were dispatched to attempt to prevent the Narragansetts from reinforcing Philip.<sup>29</sup> Captain Hutchinson's troops moved into Narragansett territory and made contact with the Indians. The so-called Treaty of Narragansett was negotiated on July 15, 1675. Connecticut was represented by Captain Wait Winthrop and Mr. Richard Smith, both of whom were members of the Atherton Company. The Narragansetts agreed to cease war preparations, to deliver any of Philip's men, and to seek out and destroy the enemy.<sup>30</sup> The arrangement was short-lived. To assess exact responsibility for its failure is difficult, but certainly its duration was not extended when all but six of the Narragansetts coming voluntarily into an English garrison were sold into slavery, although such expulsion may have made the area more desirable for settlement, and, so, have raised land values and assured an investment return.<sup>31</sup>

Connecticut settlements were in a continual state of alarm as Philip successfully eluded the relentless pursuit of the colonial forces during the Summer and Fall of 1675. As the Indians retreated across the northern part of the state and burned Springfield, anxiety increased.<sup>32</sup> The colony's "humble servant," Sir Edmund Andros, added



to their discomfort by transmitting intelligence that the Indians in the Hartford area were planning an attack. Forces were ordered back to Hartford, and laws were passed against desertion. Each county was ordered to raise, provision, and train 60 men, and stand ready to assist any other county. Women and children were moved to places of greatest security, and the smaller towns were ordered to secure their goods



*(Courtesy Mills Coll., Conn. State Lib.)*

HARTLAND HOLLOW, HARTLAND—JONATHAN MILLER TAVERN

and remove to larger settlements. Corn was gathered early and the export of grain was prohibited. The distress of the colony was such that taxes were raised to six pence on the pound on all rateable estates.<sup>33</sup> In December of that year, the combined forces of the united colonies attempted to surprise and capture the Indian leader in the Narragansett territory, but again he escaped successfully in the direction of Brookfield to Northampton and the Hudson.<sup>34</sup>

Connecticut regarded this movement a "signall favour" and made no effort to enlist the support of the Mohawks against Philip's rumored alliance with the Albany Indians. A contemporary account indicated

that Connecticut's reluctance to assist Andros was due to a suspicion of Andros. Andros inferred from Connecticut communications that Connecticut believed he was an accomplice to the aid furnished Connecticut Indians from Albany. Andros assured Connecticut that nothing of the sort lay at his door. Connecticut reasserted the charge that the enemy received great supplies from Albany, but left "to him that stands at y<sup>e</sup> doors of all hearts" determination of whose door at which the responsibility lay. Andros, for his part, also, felt unsure of Connecticut. He wrote, "if my loyalty & affection (which you mention) have prompted me too farre, so as to bee involved in yo<sup>r</sup> warre, I may expect you will leave mee both to the charge & hazard."<sup>35</sup>

In April, Captain George Denison, a member of the Atherton Company, managed to combine patriotic effort and land promotion, and he, with one hundred volunteers, as many Indians, and the young Sachem, Uncas, invaded the Narragansett country, killing 50 of the enemy and capturing 40 more, including the prize captive, Canonchet, the greatest war maker among the Narragansetts. Canonchet said that he was born a prince, and if princes came to speak to him he would answer. There being none present, he was obliged to hold his tongue, except for a request that he be put to death without torture. New England received news of his capture with enthusiasm. He was returned to Stonington, and, so "that all might share in the Glory of destruction . . . the Pequots shot him, the Mohegins cut off his Head and quartered his Body, and the Ninnicrofts Men made the Fire and burned his Quarters; and as a Token of their Love and Fidelity to the English, presented his head to the Council at Hartford." Denison continued profitably to capture and kill the Indians, clearing the land for sale and settlement.<sup>36</sup>

Tenaciously troops continued daily to search for Philip, until he was driven eventually into the swamp at Mount Hope, with perhaps ten men, one of whom fled the swamp to inform the English. Captain Church led his Plymouth company and some Rhode Island men into the swamp. Philip was found and shot on August 11, 1676. In Connecticut, a day of Thanksgiving was declared to signal the victory.<sup>37</sup>

The remaining Indians within Connecticut were hunted down and forced to submit to the judgment of the colony. The friendly



Pequot and Narragansett were permitted to hunt in the Narragansett territory on the condition that they would hunt and kill the enemy. Major John Talcott, who had succeeded to the command of the Connecticut forces when Robert Treat was chosen Deputy Governor in 1676, was authorized to capture and kill all Indians at war with the colony, or who had surrendered, or run away. Those who could not be proved murderers were spared and sold into slavery as the colony decreed. If after ten years of service, they could secure a certificate from their master, they were to have their liberty and live as Englishmen. If they could not secure a certificate, they had recourse to the Court.<sup>38</sup>

King Philip's war was the longest of any of the Indian wars in New England. It lasted for about two years and occasioned great loss in life and property. One tenth of the adult male population of Massachusetts was slain or captured and two thirds of her settlements suffered from Indian raids. The loss to Rhode Island was as great, but her fear that her neighbors would take advantage of an Indian war to encroach upon her territories was substantiated only in the military actions in the Narragansett territory and these were not translated directly or immediately into any transference of legal title. Connecticut was somewhat more fortunate in her location, but her fighting strength was seriously impaired by the war.<sup>39</sup> In the war the colonies showed a willingness for self-defense and indicated a desire for independence of action.

### *The Andros Regime*

The mitigation of the Indian danger left Connecticut to develop the territory to the extent of her ability, subject, of course, to whatever controls England might impose. Connecticut actions, in themselves, were provocative of the imposition of controls. The continual bickerings over boundaries and the attendant referrals to England which necessitated the appointment of royal commissions to settle the disputes was, at least, troublesome and, as in the case of the Atherton land grabbers, led almost of necessity to royal restriction.<sup>40</sup> The refusal to honor the Duke of York's claim to lands east to the Connecticut River was dangerously close to a challenge of the Crown itself. Connecticut did not precisely counterbalance these factors when, during the English war against the Dutch in 1672, she waited a year to respond to

the request to take aggressive action against Dutch ships, and, then, had the Secretary of her Court write: "although we have heard of y<sup>e</sup> actions at Yorke, yet because the cheefe trust of these parts did reside in other hands, . . . we made it o' business to do what was devolved upon ourselves." Connecticut actions had not increased her measure of royal favor.<sup>41</sup>

Along with the consequences entailed by her own effrontery, Connecticut seemed bound to suffer some of the results of Massachusetts' machinations, for there was a tendency, for England to regard Massachusetts as synonymous with New England as a whole and with each of its parts. Massachusetts had contended that since she was not represented in Parliament, Charles' trade regulations were not applicable to her, and had developed an attractive trade with the Dutch and French, while she circumvented and delayed enforcement of these acts. The Crown had grown "very tender" about these violations and did not intend to extend Massachusetts any permanent immunity from conformity. Connecticut, without enjoying Massachusetts commercial prosperity, was yet to be subjected to any controls imposed. To indicate a new firmness, in 1678, Edward Randolph was sent as Collector, Surveyor, and Searcher of His Majesty's customs in New England. Randolph, a persistent office seeker, was always in financial difficulties, and it was to assist in alleviating these that he was appointed to his new post. He was zealous and hardworking, but tactless and unsympathetic with conditions in New England. He reported, accurately enough, that New England was disobeying the acts of trade and navigation. When he returned to the colonies after a trip to England in 1681, he came determined to force Massachusetts to surrender her charter. It was believed, too, that he had secured sufficient power to govern Connecticut's trade, examine her treasury, and force her to "vomit up all deodands, escheats, felons, goods and fines upon penal laws."<sup>42</sup>

Plans were being formulated for uniting all the colonies north of the Delaware under one Governor. There was potential merit in such a union, and, at various times of crisis, such suggestions came from the colonists themselves. Samuel Sewall, for example, suggested that the colonies be compacted into one in view of the French danger of 1690. In this crisis with England, too, there was discussion in the col-



onies, and on an official level in Connecticut, of the suggestion that the colonies unite to avoid their utter ruin. External imposition of union, however, was a different matter to the colonists, although not one that waited on their approval: steps had already been taken to seize the Connecticut charter.<sup>43</sup>

Connecticut's artful obstructionists delayed the process, though it is true, perhaps, that the leaders realized that the pull toward colonial centralization was too strong to permit Connecticut to resist it successfully.<sup>44</sup> Randolph worked almost feverishly to force Connecticut to lose her charter. Six charges of misdemeanor were made against Connecticut and forwarded to England, as the basis for the issuance against Connecticut of two writs of *Quo Warranto*, or summons to show proof in the face of the charges, of her right to her charter and liberties. Because of the lapse of time while they were being delivered to America, these writs became legally void before they could be served. This Randolph knew, but sought to resolve by presenting them, not as a Crown official, but as a private gentleman. If the summonses were observed, submission would have been secured without the formal issue of a legal writ. Such voluntary compliance would have presaged the loss of the charter, for the judgment of the matter was hardly questionable. Connecticut was not disposed to overlook the legal technicality.<sup>45</sup>

Connecticut was urged by Massachusetts to yield and join the temporary government which had been established when Massachusetts had lost her charter. This placed Massachusetts, New Hampshire, and the King's province (Narragansett territory) under one Governor. Wait Winthrop and John Pynchon came from Massachusetts to Hartford to discuss the matter. Connecticut pleaded uncertainty as to the duration of the government in Massachusetts, and, before deciding her course of action in reference to the writs of *Quo Warranto*, she explored the relative advantages of joining with New York.<sup>46</sup>

New York felt it not very proper "for subjects to stand upon termes w<sup>th</sup> princes," and recommended "a downright humble submission" as the "most effectual means to secure w<sup>t</sup> is most advantageous." Thomas Dongan, who had replaced Andros as Governor of New York, hoped to persuade Connecticut to represent to the King their preference for a union with New York. The boundary dispute



between Connecticut and New York had been settled by a line that permitted the towns of Greenwich, Stamford, Darien, New Canaan, Norwalk, and a part of Wilton to remain with Connecticut. With this issue disposed of, Dongan now declared himself ready to "consent to every thing that will be to y<sup>r</sup> Govern<sup>ts</sup> advantage." He promised that



*(Courtesy Conn. State Lib.)*

POMFRET-PUTNAM WOLF DEN ON THE DAY THE WOLF WAS PRESENT (1902)

quit rents would be minimal, and that Connecticut ports would remain open, with ships having to put into New York only when so required by "Coūcil & Assēbly." He offered as lure what he must have considered a meaningless concession, for he had informed the Lord's Committee that it would be absolutely impossible to make anything of His Majesty's customs without Connecticut, and, the requirement of council and assembly might be expected to be frequent. He believed that all New England and New York would be combined into a single administrative unit. He hoped, however, that New York would be-



come the vortex of such a dominion and felt that if it seemed that Connecticut gravitated toward his colony it would appear more to be a logical center of government.<sup>47</sup>

Connecticut did not wish to appear to yield her charter willingly and easily, as she would have by submitting to a writ of *Quo Warranto*, when not legally bound to do so, yet she did not wish to appear dangerously uncooperative, or to be guilty of neglect of her due and legal responsibilities. She, therefore, decided to send an agent of the colony, Mr. William Whiting, to present the case to the King. With the help of counsel, he was to determine whether the lapse of the *Quo Warranto* writ relieved Connecticut of responsibility until a new summons was issued. If such a summons were issued, Whiting was to represent the colony. If, despite his representations, the charter were lost, he was to attempt to have the decision suspended until the leaders of the colony had an opportunity of speaking for themselves. If this postponement were impossible, he was to learn whether Connecticut would be joined with New York or with Massachusetts.<sup>48</sup>

The appointment of Sir Edmund Andros as Governor of the King's dominion in New England in June, 1686, lessened the possibilities that Connecticut would successfully retain her charter. In New York, he had proved himself a capable Governor and a worthy adversary for Connecticut. He was sent over now expressly to establish a strong government, the main purpose of which was to insure the necessary defenses of His Majesty's possessions. For this, Andros was well equipped. He was a soldier and an efficient administrator, although he lacked an understanding of fiscal affairs. He was energetic, honorable, and loyal—unlikely to betray the confidence vested in him. He knew something of the conditions which confronted him in Connecticut, but, if he understood Puritan psychology, he was yet impatient with it. He, himself, was of aristocratic background, and was unable to accept as peers those of more humble origin. His knowledge of local affairs seemed to make him even more determined to carry out the policy dictated from London.<sup>49</sup>

Randolph had no doubt that Andros would be competent to bring matters to a conclusion. When a third *Quo Warranto* writ was forwarded to Randolph, he wrote gleefully that he "was well assured the

physick was to operate." He had heard that "the little Quacks" in Connecticut were "endeavoring to divert their coming under one government, but his Excellency has his Majesty's commands to accept their surrender."<sup>50</sup> Actually, further delay was made possible by the third *Quo Warranto*, for its issuance meant that no change in status would be forced until after due legal process. In a letter from Andros, transmitted at the same time as the writ, it was indicated that he was authorized to receive the surrender of the charter "if tendered," which invited, but neither demanded, nor forced surrender.<sup>51</sup>

Connecticut, wittingly or unwittingly, resolved the problem by writing the English Secretary of State that, whereas they desired their present status, if they must submit, Connecticut preferred to be under Andros rather than under Dongan of New York. This was interpreted by the Crown as a request. The prosecution of the summons was stopped, and Andros was informed to proceed to incorporate Connecticut under his government.<sup>52</sup>

Whiting's further attempts to defend the charter in the courts of England might be cited as an indication that Connecticut did not intend for her letter stating preference to be construed as concurrence in a change of government. When Whiting indicated that defense of the charter would necessitate increased colonial representation, however, the Court declared "we doe not see ourselves in a fit posture to rayse money" for additional representation to defend the charter.<sup>53</sup> Mr. Whiting was to be instructed to continue his efforts, for which he would be given reasonable satisfaction. Later, in 1689, Gershom Bulkeley wrote that "the people were divided in their opinions; many grudged at the charge of that Affaire, whence it was hard (if possible) for them *seasonably to raise money* to maintaine the suite."<sup>54</sup> Bulkeley asserted that he knew "who were then as hot against the raising of money for that purpose (and cry'd out it was illegall) as now are hot for the Patent and ready to cry out upon the losse of that as illegall."<sup>55</sup>

Gershom Bulkeley was the most articulate of the element evidencing in Connecticut, as it had in Massachusetts, a preference for royal rather than for charter government. Bulkeley believed that the authors of the letter stating a preference for union with Massachusetts had been conscious of its import at the time it was sent. He felt it was likely that they



had reasoned that "it would be a grate Charge to maintaine the Action [at law], and it might go against you at last, and you should be annexed to *Yorke*; and hereupon you submit to the King's Wisdome and pleasure, begging that you may be annexed to the *Bay*." Bulkeley believed that the Government was not, therefore, taken into the King's hand without "Submission, and some sort (at least) of Consent."<sup>56</sup>

In any case, the Connecticut General Court, in the face of the English interpretation, busied itself with the disposition of affairs, moving as many as possible out of Andros' reach. Control of affairs with England was transferred from the Court to the Governor and Council. To secure land titles, the Court validated all titles which had been confirmed by the towns. The colony in its corporate capacity had granted land titles to towns, regarded, too, as corporations. In their corporate capacity, towns had granted titles to individuals. There was a question, however, as to whether the colony, as the original company, had had the right to create other corporations. If not, the land titles of all individuals could be held invalid. It was ordered that it was to be understood that all titles confirmed by towns were made by the Governor and Company who had delegated the authority to sign in their name.<sup>57</sup> In addition, grants were given for all vacant lands, including those west of the Connecticut River to the Housatonic River. It was arranged that debts due the colony were to be collected and that whatever surplus remained in the treasury was to be transferred to the several towns.<sup>58</sup>

Also, in response, as the record puts it, to demands of "sundry of the Court" that they might see the charter, the Secretary sent for it and showed it to the Court at the session held June 15, 1687. The record formally records that it was then put again into its box, which was placed on the table with the key in it.<sup>59</sup> Here the record leaves the charter, its story to be continued by legend and conjecture.

The precise state of colonial affairs was not generally known, and some, apparently, feared that agreement to surrender the charter, or, perhaps, the actual surrender had already been made. It is possible that it was to allay the fears of these "sundry of the court" that the charter was displayed. It has, also, been conjectured that this was another preparation for the contingency that Andros might take over the government: the faction opposing submission arranging a move essential

to putting the charter out of Andros' reach. This seems somewhat substantiated by the very formality of the record of an exhibition that took the charter and even its box and key from the custodial committee and left it on a table rather than returned to someone's charge.<sup>60</sup>

Opinion was divided on the question of submission and as to whom. Governor Dongan of New York wrote the Earl of Sunderland that for every one in Connecticut who wished the government joined with Massachusetts, there were one hundred in the colony who wished to join New York. Dongan, of course, can not be regarded as an objective observer. He was truly convinced, however, that Governor Treat and Secretary Allyn were responsible for the statement of a preference to join Massachusetts. In fact, Dongan stated that it was by their fraud and without the knowledge of the rest of the Court that this union occurred. Dongan displayed a clearer perception of the nature of Connecticut's government than one might be inclined to admit when he reminded the inhabitants that they but stood on a sandy foundation "when one or two among you can dispose of you at their pleasure."<sup>61</sup>

Perhaps, because the divided opinion and factious spirit of the Court made a satisfactory determination of a course impossible, or, perhaps, because of the knowledge that Randolph was bringing another message from Andros, the summer session of the Court came abruptly to a close.<sup>62</sup> The next day there arrived from Andros a request that the colony surrender the charter. The Secretary of the Colony quite properly expressed sorrow that the Court had adjourned the evening before the arrival of the request, but minimized the importance of this by adding: "judging by what notice we took of their minds, we conclude they would not have altered or varied anything from what in their former letter they wrote unto you."<sup>63</sup>

Andros had been informed that Connecticut, in accordance with its request, had been annexed to his government, and, on October 31, he arrived in Hartford to effectuate incorporation.<sup>64</sup> He was received by the Government officers, who, in the words of Perry Miller, supinely agreed to surrender the charter.<sup>65</sup> Facile agreement to its surrender, of course, could have stemmed from a conviction of inevitability, from a desire for union,—or from knowledge that the charter would be found missing.



According to legend, the charter was brought to the Assembly that night, whereupon the candles were extinguished, shrouding the room in darkness. And when "the candles were quietly relighted . . . the charter had disappeared,"<sup>66</sup> later to be brought out of its concealment in the Charter Oak.

The story of the concealment of the Connecticut charter first appeared in public print, not in America, but in London. George Chalmers, in *The Political Annals of the United States from the Settlement to 1763*, published in 1780, refers to the action of the Governor and Company in "carefully concealing their charter in a venerable elm."<sup>67</sup> The source of Chalmers' information, apparently, was not a Connecticut patriot, but an arch-Tory of the American Revolution, Samuel Peters, the same to whom history is obligated for a catalogue of Connecticut Blue Laws. Peters, in his own *General History of Connecticut*, published a year after Chalmers' work, refers to "an elm esteemed sacred for being the tree in which their charter was concealed."<sup>68</sup> A geographer's editing was applied to the story by Jedidiah Morse in 1789 to identify the tree as an oak.<sup>69</sup> With publication of Trumbull's history in 1818, the story achieved a status of respectability which only a Connecticut author of Trumbull's position could give it,<sup>70</sup> and the tradition continued to be of more significance in the subsequent life of Connecticut than the actual history of the period.

The tradition of the Charter Oak has been characterized as a symbol of the "spiritual strength and the love of freedom which inspired our Colonial forebears in the militant resistance to tyranny."<sup>71</sup> The refusals of the early leaders of Connecticut to give up the charter, despite the royal order and threat of arms, is described in Connecticut's Blue Book as "one of the greatest episodes of determined courage in our history."<sup>72</sup>

The failure of Andros to gain physical possession of the charter did not deter him from formally assuming control over Connecticut the day after his arrival. The Governor and Secretary of the Colony, in their affidavit taken in June, 1689, stated simply that Andros "caused his commission to be read, and declared our government to be dissolved."<sup>73</sup>

After the fall of Andros, the royalists contended that Connecticut



had surrendered the charter by the tacit consent implicit in her acceptance of Andros. Gershom Bulkeley asserted that many of the Assemblymen were only too glad to see the change in government. Bulke-



*(Courtesy Mills Coll., Conn. State Lib.)*

GREENWICH-PUTNAM COTTAGE BUILT IN 1731, ORIGINALLY KNAPP'S TAVERN.  
SCENE OF PUTNAM'S ESCAPE FROM BRITISH, PHOTO 1934

ley writes: "Do they think that nobody took notice of how Sir E. A. was caressed by them? How brisk and jocund they were at that time? What liberal healths some of them . . . drank then, and afterwards in remembrance of it?"<sup>74</sup> The Chartist faction in the colony, however, interpreted the transference of government as being involuntary and imposed and considered this to be indicated by the avoidance of the physical surrender of the charter. To the Chartists, then, Andros gov-



erned by an illegal usurpation of power. It is this interpretation which is integral to the legend of liberty.

The center of government under the Andros regime was Boston, and the laws<sup>75</sup> enacted there were applicable, except in rare instances, throughout the dominion. Most of Andros' laws reenacted those which had previously prevailed and were concerned with such matters as cattle, cornfields, and fences; the fishing trade and fishermen; and the size of staves and boards—matters with which the colony had struggled from the beginning. Other laws were reasonable; the effort to establish a postal system and the establishment of standard weights and measures were efforts which were proper to a maturing society.

A frontier settlement, such as Connecticut constituted near the end of the seventeenth century, necessitated, regardless of the administrative organization, that careful attention be given to defense. Especially was this true since a union of Indians and the French was alike a local danger and a danger to the British empire. A large portion of Andros' attention, therefore, was given to the security of New England, and an Act of Militia and restrictions on expanded settlement were accordingly passed. The Indians were the key to imperial defense, and, with the French lurking in the background, friendly relations with the Indians were doubly important. The policy on Indian lands was obviously based on the premise that unrestrained encroachment upon Indian lands by the colonists was the basis of Indian difficulties. Consequently, permission of Andros was required before any Indian lands could be exchanged. Also, all lands which had been secured from the Indians, upon which no improvements had been made, were closed to settlement. Connecticut, as a result of her own ingenious forethought in validating titles, was little affected by real estate regulations, although some tenuous land titles were held from the Indians. Andros' law was designed, not for the protection of the natives, but for that of His Majesty's dominion. Security was of common concern to Connecticut and to the Crown, and the record of the era suggests that the colony cooperated willingly in defense measures against the Indians.

The judicial system, in the main, was similar to that which had functioned in the colony before Andros' time, except for the superior courts. These were empowered to hear all cases involving the Crown,

to serve as the Court of Appeals from lower courts, and to be the court of origin in all civil cases involving amounts above ten pounds. For a short time, an "understanding" exempted Connecticut from this move toward centralization. The arrangement was applicable in Connecticut, however, after March, when the Judiciary Act was formally passed. The Court of Common Pleas, in Connecticut, could try cases of any amount where the title to land was not involved, providing the defendant should always have the right to remove the case to the higher court if he desired. The judicial structure of the Andros regime seems more clearly defined than under the Charter and laws of Connecticut. The method of appeal, for example, was more precisely outlined. There had no doubt been a basis for the cry of injustice raised against the colonial courts, where magistrates "administered justice according to the Lawes . . . and for the want thereof according to the word of God"<sup>76</sup>—as they arbitrarily interpreted it, encouraging no challenge of its legal validity by any lawyer. Certainly, some preferred the justice dispensed in the royal courts.

The laws governing the distribution of estates was one of the first laws to come under the scrutiny of Andros. English common law provided that the eldest son was the sole heir: he was entitled to the whole of the estate, exclusive of all other children. To encourage the increase of inhabitants, to hold the labor of younger sons, and, perhaps, because of a sense of equity, Connecticut had followed the practice of partible succession, as did the other New England colonies. That is, an estate was to be divided so that equal shares were distributed to each of the heirs, except that the eldest son received a double share. The General Court had ordered in 1639 that estates in Connecticut would be divided according to this principle, the rule had been included in the Code of 1630, and in the revision of 1673.<sup>77</sup>

When Andros took over, there were a number of settlements before the courts. On one, in particular, Secretary Allyn asked the opinion of the government in Boston. A younger brother of Thomas Wells had been killed. The deceased left three brothers older than himself, of whom Thomas was the eldest; one younger; and two sisters. Thomas, the oldest brother, as next of kin in English law, and the youngest, for an indeterminate reason, each claimed the entire estate. The rest of



the children claimed that the estate should be equally divided according to Connecticut law. Allyn was not alone in seeking the opinion of Boston in resolving this family tangle. Thomas, too, appealed in Boston, and returned from there with a verdict in his favor. In 1690, after the Andros regime fell, the probate court of Hartford reversed the decision, and was sustained the next year by the Court of Assistants.<sup>78</sup>

However valuable the custom was to Connecticut, it was clearly contrary to the laws of England, and resulted in numerous appeals to England up until 1745. Except for the short period of enforcement of conformity under Andros, no clear and final decision was made. England had grown cautious about enforcing the royal prerogative, since the Andros regime had given some measure of the resistance to be encountered. Application of the English principle aroused wide dissent in the colony, except among individuals benefiting by the modification.

The order for the encouragement of the Church of England<sup>79</sup> was repugnant, also, and aroused latent fears among a people who had suffered persecution in England. Religious toleration of any kind was obnoxious to the Puritan clergy of the latter part of the seventeenth century, and to legislate that the Church of England was to be especially encouraged was anathema. Because of memories of English persecution and because of the arbitrary nature of the Puritan religion, the religious imposition was regarded as tyrannical.

The move to constrict town meetings also challenged an integral element of the Connecticut way of life.<sup>80</sup> Inasmuch as the Andros regime did not provide for any general colonial assembly, the town meeting was the only legal assembly left to the people, and it was regarded by the residents as constituting an instrument of local self government. To an English lawyer, this was an illegal pretension. Nevertheless, an act was passed which, to some degree at least, seemed to countenance the practice of the colonies. The inhabitants of each town were permitted to elect as many as eight selectmen, of whom half were to have held office in the preceding year, and these were to meet monthly to care for the usual routine of community life. They were, however, specifically under the jurisdiction of the Justices of the Peace, who were named by the government in Boston, and were intended primarily to assist by levying the rates voted by the Governor and Council, as is in-

licated by the fact that the provision for a Commissioner was first made as a subordinate part of an Act Establishing Rates, Duties, and Imposts.

When town meetings were limited to one a year, and restricted to this election of people to implement Andros' taxation, they no longer could serve as a forum for discussion and criticism of the Governor and Council and became merely a means of forcing the populace to become the ally of the government in the collection of taxes. That town meetings were regarded as citadels of freedom seems due as much to the curtailments under Andros as to any existent degree of democratic practice in the pre-Andros days, although their absolute domination by proprietors had been somewhat challenged by the time of Andros.

Taxation, itself, was altered but slightly by the Andros government. There was an increase in the poll tax, but the principle underlying the rating of property was untouched. Only minor changes were made in the powers of tax officials. In the main, Andros continued the economic laws of the colony, and the tonnage duties, which he introduced, were continued when charter government was resumed. In Massachusetts, it is recorded that the merchants were for land taxes, and the land owners were for laying all upon the trading party.<sup>81</sup> The opposition in Connecticut, too, may have reflected an opposition to the continuance of the tax plan. The objection to taxation was made, however, on the grounds of lack of representation through a general assembly. The failure to provide for a representative assembly gave a doctrinal basis to discontent and provided the accepted justification for opposition—and eventually for resumption of charter government. The power to make laws and to levy and collect taxes continued to rest with the Governor of the Dominion and his Council. Despite much advice and although Andros did not oppose the creation of an assembly, James II steadfastly refused to permit the legislative function to rest with an assembly.<sup>82</sup> The withholding of the privilege helped to establish the principle of popular representation as inviolate in Connecticut. When the restrictive franchise of Connecticut is recalled, the question is raised as to whether the principle received more emphasis from magistrates when they were being governed than when they were governing. Nonetheless, however great the disparity between democratic principle and its autocratic implementation, Connecticut had taken steps toward



representative government and strides toward a belief in it. Violations of the principle were broad arguments for the resumption of charter government.

### *Resumption of Charter Government*

The first intimations of the revolution in England by which James was deposed sparked revolt in the New England colonies against the Andros government. In Massachusetts, Andros was imprisoned and the previous colonial Governor and Council reinstated. In New York, Jacob Leisler assumed command in behalf of William of Orange. In Connecticut, on May 9, 1689, Governor Robert Treat, Deputy Governor James Bishop, and former magistrates resumed their offices. In addition, Major General FitzJohn Winthrop was chosen to the magistracy to complete the number required by the charter. After news had been received that William and Mary had ascended the throne, a special assembly was called in Connecticut and on June 13, they were proclaimed in the colony. The assembly addressed their Majesties hailing their ascension as evidence of God's will to rescue the nation from popery and despotism. Confirmation of Connecticut's charter rights were requested on the grounds that the charter had never been surrendered and Andros' power had been an illegal usurpation.<sup>83</sup>

Not everyone in the colony, however, defined liberty and independence in terms of the old charter government. There was a large enough element questioning the authority of this revolutionary government that there were intimations of difficulty collecting taxes. The Court empowered itself or its listers to rate "will and doom", or at discretion, any person who did not accurately report his personal and real estate. This opposition was disclosed to the Crown by several individual representations, as well.<sup>84</sup> Shortly after the arrival of Governor Slaughter at New York, Major Edward Palmes of New London, the son-in-law of the first Governor Winthrop, complained of injustice at the hands of a "pretended court" of the colony.<sup>85</sup> He was close to Gershom Bulkeley, who contended that Connecticut had consented to the assumption of its government by Andros for the Crown, and that, therefore, the resumption of charter government and the restoration of administrative systems were illegal since they were not specifically





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authorized by the Crown.<sup>86</sup> This interpretation appears to be the referent for Palmes' challenge of the courts. He asked Slaughter, as a representative of the Crown, to aid him in securing redress. On May 6, 1691, Slaughter addressed a letter to Colonel Treat, Governor of Connecticut, in which Slaughter asserted that almost every day he was advised by new complaints of His Majesty's subjects of great hardships and oppressions against their estates and persons. Slaughter advised



that those who took upon themselves the administration of government use such methods as to make His Majesty's subjects be easy and have no cause of complaint. An undated draft of a letter from Slaughter to Palmes and Bulkeley offered to forward to the King any information they wished to present on colonial affairs and recommended that they transmit a report of wrongs and oppressions. Slaughter promised his interposition on their behalf. Slaughter died suddenly in July, 1691, but the Bulkeley-Palmes group presented their protestations and offered their cooperation to the successive representatives of the Crown.<sup>87</sup>

At the moment the Crown reached no formal decision on the matter of the charter. The ascension of William and Mary to the throne had been followed by an immediate outbreak of war between England and France, which inclined the Crown toward the assumption of control of the military effort of the New England colonies, but which necessitated that a working arrangement be maintained. Connecticut used the emergency as a justification of her reestablishment of charter government and resisted the Crown's efforts to manage the military.

Connecticut, historically identified with support of an independent course of action, opposed the establishment of a formal, continuing union. The colony voiced a concern about the potential dangers to England of the union, and declared the plan to be subversive to the just rights of government.

#### NOTES—CHAPTER VIII

<sup>1</sup> See above, ch. IV.

<sup>2</sup> Andrews, *Col. Period of Am. Hist.*, II, pp. 40-41; Brockunier, *Irrepressible Democrat*, pp. 394-95.

<sup>3</sup> Winthrop's methods in the Winter of 1662 raise some questions of ethics. Historians are far from agreement as to the degree of Winthrop's duplicity. In general, writers on Connecticut have extolled his virtues, and writers on the neighboring colony have not spared criticism. Brockunier, a recent biographer of Roger Williams, states specifically that Winthrop exploited a twisted version of a previous patent of Rhode Island and implies strongly that Winthrop paid off more than one civil servant. (See *Irrepressible Democrat*, p. 255.) Winthrop, himself, stated that he spent 3,000 pounds in securing the charter. Andrews, after a close analysis, concluded that the charter did not cost Connecticut more than 500 pounds, but, in this, he fails to consider the possibility that the Atherton Company might have contributed to the fund. (See Andrews, *Col. Period of Am. Hist.*, II, pp. 135-36.)

<sup>4</sup> When a fine imposed by the United Colonies on the Narragansetts became due at the end of a four year period, the Atherton Company had paid it and had taken a

mortgage on the Indians' lands. After the expiration of the stated time limit of six months, the company had foreclosed, and, using force as persuasion, had taken formal possession of the land in April, 1662. *Ibid.*, pp. 37-38; Brockunier, *Irrepressible Democrat*, pp. 253-55.

<sup>5</sup> Andrews, *Colonial Period*, II, p. 45.

<sup>6</sup> Brockunier, *Irrepressible Democrat*, pp. 255-56.

<sup>7</sup> *Ibid.*, pp. 255-56.

<sup>8</sup> Roland M. Hooker, "Boundaries of Connecticut", Conn. Ter. Comm. Publ., pp. 3-4.

<sup>9</sup> *Ibid.*, pp. 4-5.

<sup>10</sup> *Records of the Colony of New Plymouth*, X, pp. 320-21.

<sup>11</sup> Brockunier, *Irrepressible Democrat*, p. 255.

<sup>12</sup> Hooker, *Boundaries*, pp. 4-5; *Records of the Colony of New Plymouth*, II, pp. 320-21.

<sup>13</sup> Hooker, *Boundaries*, pp. 5-6; see below, Ch. IX.

<sup>14</sup> Hooker, *Boundaries*, pp. 15-20.

<sup>15</sup> Fox, *Yankees and Yorkers*, pp. 117-21.

<sup>16</sup> *Conn. Col. Rec.*, II, p. 561.

<sup>17</sup> *Ibid.*, pp. 205-11, 561-62.

<sup>18</sup> *Ibid.*, pp. 561-68; Fox, *Yankees and Yorkers*, p. 121.

<sup>19</sup> *Conn. Col. Rec.*, II, p. 569.

<sup>20</sup> Fox, *Yankees and Yorkers*, p. 122.

<sup>21</sup> *Conn. Col. Rec.*, I, p. 427; II, pp. 569-72.

<sup>22</sup> Fox, *Yankees and Yorkers*, p. 29.

<sup>23</sup> See above. Ch. IV.

<sup>24</sup> Fox, *Yankees and Yorkers*, pp. 130-31.

<sup>25</sup> *Conn. Col. Rec.*, II, pp. 341-42.

<sup>26</sup> *Ibid.*, p. 260.

<sup>27</sup> Reprinted in Charles H. Lincoln, ed., *Narratives of the Indian Wars, 1675-1699* (New York: c. 1913), see pp. 7-10.

<sup>28</sup> *Ibid.*, Hubbard, I, pp. 53-55.

<sup>29</sup> *Conn. Col. Rec.*, II, pp. 216-20, 260-64, 331-35.

<sup>30</sup> Hubbard, I, pp. 74-79.

<sup>31</sup> Easton, "Relacion of the Indyan Warre," in Lincoln, ed., *Narratives of the Indian Wars*, (original narrative of American History), p. 13.

<sup>32</sup> *Ibid.*, pp. 35-36, 39, 62-64; Hubbard, I, pp. 10, 107-108; *Conn. Col. Rec.*, II, p. 353.

<sup>33</sup> *Ibid.*, pp. 266-72, 377.

<sup>34</sup> *Ibid.*, pp. 401, 422-24; Easton, "Relacion of the Indyan Warre," pp. 46, 56-66, 78-81, 85-86; Hubbard, I, pp. 136-52; G. H. Hollister, *The History of Connecticut* (New Haven, Conn., 1855), pp. 274-82; *Conn. Col. Rec.*, II, pp. 387-90.

<sup>35</sup> *Ibid.*, pp. 404-405; Easton, "Relacion of the Indyan Warre," pp. 88-89.

<sup>36</sup> *Ibid.*, pp. 90-91, 96; *Conn. Col. Rec.*, II, p. 438.

<sup>37</sup> *Ibid.*, pp. 273, 279, 296, 433-60; Easton, "Relacion of the Indyan Warre," pp. 104-106.

<sup>38</sup> *Conn. Col. Rec.*, II, pp. 289-98.

<sup>39</sup> Easton, "Relacion of the Indyan Warre" pp. 4, 21.

<sup>40</sup> A further irritant increasing royal impatience with Connecticut was the continued audacity of the Atherton land grabbers. Once peace was restored, conditions were favorable for the resumption of the task of settling the Narragansett territory. Wait Winthrop, the second son of the Connecticut Governor, had moved to Massachusetts since representing Connecticut at the negotiation with the Narragansetts, and now served as a front for the land jobbers. These, with the blessings of Connecticut, advertised the land, whereupon Rhode Island warned that purchasers would be re-



garded as intruders. It was directed, by order of the King, that the territory remain the King's province while claimants came to England to defend their rights. *Conn. Col. Rec.*, II, p. 544; III, pp. 257, 267, 276.

<sup>41</sup> *Ibid.*, II, pp. 560-61.

<sup>42</sup> *Ibid.*, Andrews, *Col. Period of Am. Hist.*, IV, p. 150; Adams, *Founding of New England*, pp. 391-97.

<sup>43</sup> *Ibid.*, pp. 394, 408-11, 497; *Conn. Col. Rec.*, III, pp. 311-12.

<sup>44</sup> Adams, *Founding of New England*, p. 413.

<sup>45</sup> *Conn. Col. Rec.*, III, pp. 207-10, 347-352.

<sup>46</sup> *Ibid.*, pp. 207-10, 355-64.

<sup>47</sup> *Ibid.*, pp. 365-69. When Connecticut later indicated a preference to be joined with Massachusetts, Dongan was bitter and wrote "If I thought it so agreeable to y<sup>r</sup> Govern<sup>t</sup>, I should be as forward in endeavouring y<sup>e</sup> destruction of yo<sup>r</sup> Charter as any person whatever," see *Conn. Col. Rec.*, III, p. 387.

<sup>48</sup> *Ibid.*, p. 368-73.

<sup>49</sup> *Ibid.*, p. 222; Adams, *Founding of New England*, pp. 411-12.

<sup>50</sup> *Conn. Col. Rec.*, III, pp. 375-76.

<sup>51</sup> *Ibid.*, p. 375.

<sup>52</sup> *Ibid.*, pp. 377-78.

<sup>53</sup> *Ibid.*, p. 237-38, 384-86.

<sup>54</sup> Bulkeley, "Right to Election," in *Collections*, Conn. Hist. Soc., I, p. 1.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*, p. 67.

<sup>57</sup> *Conn. Col. Rec.*, III, pp. 177, 225, 228.

<sup>58</sup> *Ibid.*, pp. 225 ff.

<sup>59</sup> *Ibid.*, pp. 237-38.

<sup>60</sup> *Ibid.*, note.

<sup>61</sup> *Ibid.*, pp. 386-87 and note.

<sup>62</sup> *Ibid.*, p. 247.

<sup>63</sup> *Ibid.*, p. 383.

<sup>64</sup> *Ibid.*, pp. 387-88.

<sup>65</sup> Miller, *New England Mind*, p. 152.

<sup>66</sup> Trumbull, *History of Connecticut*, I, p. 313.

<sup>67</sup> George Chalmers, *Political Annals of the Present United Colonies from their Settlement to the Peace of 1763*, (London, 1780), pp. 297-298.

<sup>68</sup> Samuel Peters, *General History of Connecticut, from its First Settlement under George Fenwick to its Latest Period of Amity with Great Britain prior to the Revolution*. . . (1781), Samuel Jarvis McCormick, ed., (New York, 1877), p. 92.

<sup>69</sup> Jedediah Morse, *The American Geography* (Elizabethtown, New Jersey, 1789), p. 240.

<sup>70</sup> Trumbull, *History of Connecticut*, I, p. 313.

<sup>71</sup> *State of Conn. Register and Manual* (Hartford, 1957), p. 584.

<sup>72</sup> *Ibid.*

<sup>73</sup> *Conn. Col. Rec.*, III, p. 390.

<sup>74</sup> Bulkeley, "Will and Doom," *Collections*, Conn. Hist. Soc., III, p. 149.

<sup>75</sup> *Conn. Col. Rec.*, III, pp. 402-36.

<sup>76</sup> See "Fundamental Orders of Connecticut."

<sup>77</sup> Andrews, "Intestacy Law."

<sup>78</sup> *Conn. Col. Rec.*, III, pp. 396-97; IV, pp. 57-58.

- <sup>79</sup> See Origen Storrs Seymour, "The Beginnings of the Episcopal Church in Connecticut" Ter. Comm. Pam., p. 1.
- <sup>80</sup> See Adams, *Founding of New England*, pp. 425-26.
- <sup>81</sup> Miller, *New England Mind*, p. 150; Everett Kimball, *The Public Life of Joseph Dudley* (New York, 1911), p. 47.
- <sup>82</sup> Adams, *Founding of New England*, pp. 414-15.
- <sup>83</sup> Trumbull, *History of Connecticut*, I, pp. 316-19; *Conn. Col. Rec.*, III, pp. 250-55.
- <sup>84</sup> Hoadley's Introduction to "Will and Doom," *Collections*, Conn. Hist. Soc., III, pp. 74-75.
- <sup>85</sup> *Ibid.*, p. 73.
- <sup>86</sup> Bulkeley, "Right to Election," *Collections*, Conn. Hist. Soc., I.
- <sup>87</sup> Hoadley's Introduction to "Will and Doom," pp. 73-74.



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## Chapter IX

### The Frontier, 1690-1739

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**A**FTER THE RESUMPTION of charter government, a measure of tolerance for Connecticut's autonomy was achieved in the years 1689-1739. The continuance of charter government hung more upon the colony's willingness to cooperate in the defense of the empire, which was viewed as synonymous with the security of the colony, than upon the actual ability of the colony to defend its position independently. The comparative security which prevailed after the conclusion of Queen Anne's War allowed a period of expansion in which the remaining land within the borders of the colony was distributed. Land hungry residents, weary of eking out a living from the exhausted soils contested with speculators for title to unsettled land. Concurrently, descendants of proprietors sought to validate their claim to titles in settled areas, while England threatened the titles to all land by challenging the laws of inheritance of the colony. Speculation, easy money, and novel schemes to raise capital were issues of the postwar period.

#### *King William's War*

The contest between England and France for world power had been prevented from flaring into formal conflict in America because of an agreement which sought to isolate the American dependencies and their intercolonial quarrels from the contest for security and power in Europe. The strength of a nation was, at the time, generally measured in economic terms, and, as the commercial importance of the overseas possessions increased, they were considered to be of greater consequence to the security of the colonizing nations and assumed

additional significance as a factor in the policy determinations of the European government.<sup>1</sup> A component in the French-English conflict in America was the prefatory border warfare and contest for trading privileges in which the French and English settlers engaged. The offenses of the French colonists against the English settlers in America were stated by King William, who had succeeded to the English throne after the "Glorious Revolution," as a reason for his declaration of war against France. Thereby, he dissented from the previously accepted doctrine that Europe and the New World constituted two separate spheres and bound the security of his North American possessions to that of his empire.<sup>2</sup>

The English declaration of war against France placed the New England colonies in danger of a French attack from the north which could not be met quickly or effectively. There was not only a general lack of military strength and leaders, but, with the disintegration of the Dominion of New England, there was no existent organization empowered to convene the colonies for concerted action.<sup>3</sup> In Connecticut, to meet the danger, watches were established in the several towns, taxes were raised, and embargoes on provisions were established. Two companies were ordered to Albany, which was endangered by Frontenac's capture of Schenectady in the winter of 1690. The march of the troops was delayed, however, until the plans of the other colonies could be determined. Frontenac's raid seemed to suggest that New York would be the focal point of the French attack. To check the advance of the enemy, an expedition against Quebec and a land operation against Montreal were planned by Commissioners representing each of the colonies in the Spring of 1690. An attack against the enemy's Canadian bases seemed strategically sound as a means of forcing the withdrawal of troops from New York and avoiding a prolonged and wearing border defense.<sup>4</sup>

Success of the plan required skilled military leadership and a greater degree of cooperation than usually existed among the colonies. Almost immediately, there was difficulty over the selection of the command. Sir William Phipps, the first Royal Governor of Massachusetts, had, also, been appointed to the command of the Connecticut militia.<sup>5</sup> Phipps was informed by the dissident element in Connecticut



that there were loyal subjects of His Majesty in Connecticut who opposed charter government and who would welcome his implementing his order to control the colony's military forces.<sup>6</sup> Such an arrangement would have impaired the chances that charter government would be retained permanently. Phipps, however, did not encourage the malcontents nor present his commission in Hartford as a direct order. Phipps, who had made a public confession of conversion to the Puritan faith in 1690, was enjoying a hero's reception in Boston as a result of his sack of Port Royal. Previously he had been somewhat shunned by the polite elements of Boston society. Colonial approbation was, perhaps, more important to him than royal favor.<sup>7</sup> He yielded to the Connecticut proposal that the command of the expedition be divided. On this basis, agreement, although not harmony, was achieved by placing Phipps in command of the naval operations and naming FitzJohn Winthrop of Connecticut to direct the land forces.<sup>8</sup>

The military operations ended in disaster. Phipps appeared before Quebec with a naval force in October, 1690, but an attempt to secure a foothold proved abortive and the expedition returned a miserable failure. The colonies had failed to provide in full the quotas assigned for the land forces, and the troops available were poorly equipped and badly organized. Winthrop, with his army, reached the southern tip of Lake Champlain, but, engaged only in minor forays. His Indian allies found reason to delay until a retreat was ordered.<sup>9</sup>

Leisler, the Governor of New York, was furious with the failure of the land expedition. He was aware that Winthrop included in his council certain "principal gentlemen in Albany," and suspected that their advice was not always based on strictly military considerations. As the expedition languished at Lake Champlain, Leisler was instrumental in having the Commissioners of the colonies direct that, in all matters of great importance, General Winthrop should be governed by a council consisting of himself and his officers. Such a council may have included Leisler's brother-in-law, who was Commissary of the army. After Winthrop ordered a retreat, he was arrested and arraigned for trial by court martial. Before the trial could proceed, Winthrop was rescued by friendly Indians. He was stoutly defended by the Connecticut General Assembly which expressed its faith in "his fidelity, valour, and pru-

dence," and in "thankfulness for his Good service," gave him forty pounds.<sup>10</sup>

There is little doubt that reluctance to interfere with the trade of upper New York was an important factor in the failure of the expedition. This would suffice to explain the interest and recommendations of the Albany merchants, who, throughout the war continued their lucrative trade with the fur traders of Montreal. It would seem to explain, too, the delay caused by those Iroquois who were allied with Winthrop. France traded directly with Indians further to the West. The English, however, were dependent upon the Iroquois as middlemen. The Iroquois, to protect their own prosperity, had to maintain amicable relations with the Indians with whom the French traded. Ironically, this trade invalidated the very premise of the Canadian campaign, for the French, to avoid interfering with their supply of cheap English goods, directed the major portion of their attacks against the New England frontiers rather than against New York. The New Englanders saw their own difficulties increase as the Albany merchants enjoyed immunity from war depredations and lined their pockets. Contemporaneous complaints correlated the two.<sup>11</sup>

In conception, the attack on Canada was colonial, but, in execution, the colonies seemed to cooperate less fully than they had in King Philip's War. The colonies had always been hostile to the French. In this instance, however, colonial troubles were technically the result of an English declaration of War. Also England, preoccupied with the civil war in Ireland, had failed to comply with a request for arms and ammunition. There was little in the Canadian campaign to encourage England to support another similar expedition until the militia of the colonies were under a unified command. The control of the militia through a central commander was apparently the minimum amount of direction which England wished to exercise. Initially, the Connecticut troops had been included in Phipps' commission. Now, the Connecticut militia was transferred to the command of Benjamin Fletcher, the new Governor of New York. Fletcher was determined that this force would be surrendered to his command.<sup>12</sup>

On the basis of information furnished by Bulkeley of the condition and progress of affairs in Connecticut, Fletcher determined to come



to Hartford and put his commission for the command of Connecticut troops into force. When he arrived in Hartford, however, on October 26, 1693, he was met with the polite Puritan sternness with which the Crown and its representatives had grown too familiar. Connecticut insisted that the command of the militia was vested by charter in the governor and company. Fletcher attempted to circumvent this by offering to commission Governor Treat to command the troops. The Governor declined the commission. Fletcher attempted to have his orders read to the troops, but was prevented by the insistent drumming ordered by the senior Connecticut officer. Connecticut retained control; Fletcher returned home; and Gershom Bulkeley wrote a pamphlet entitled "Some Seasonable considerations for the good people of Connecticut," which was printed at New York in the Winter of 1693-94.<sup>13</sup>

Although Connecticut based its actions upon the charter, the continuance of charter government was uncertain. On September 12th or 13th, 1693, a few days before Fletcher's arrival, there had been received a first letter from King William which had been written March 3, 1692-3. This was not addressed to the Governor but "To such as for the time being take care for preserving the peace and administering the laws in our Colony of Connecticut, in our Territory and Dominion of New England." The implications of this, plus the threat of the loss of the militia, intensified the need to secure a clarification of charter rights. Already, in August, the towns had been asked if they desired that their Majesties be addressed concerning the continuance of their militia and charter privileges and if the towns would bear a proportionate charge to finance such a mission. Apparently this had been submitted to the inhabitants rather than to the freemen, for there were more affirmative votes than there were freemen in the colony. In all, there were 2,182 affirmative votes which constituted, it has been estimated, almost a two-thirds vote.<sup>14</sup> This would not necessarily establish a statistical figure measuring either opposition to or support of charter government in the colony, however, for it seems possible that some who might not have wished the continuance of the government might have felt that this would have secured its quickest demise.

Major-General FitzJohn Winthrop was directed to go to England to present the colony's petition. After arriving in England, Winthrop

became confident, apparently, that charter government would be retained. Otherwise, it does not seem that the continuation of the independent command of the militia would have been tied so definitely to the continuation of the independent civil authority. It was argued that the command of the militia was expressly granted in the charter: he, who commanded the militia, would govern the colony; Fletcher's commission should be restricted by the laws of Connecticut, as was the King's power in England by the provision which permitted him to draw a militia only in proportion to the population and wealth of the country; and finally, Fletcher could not be as well qualified for the local and ordinary command of the militia as someone who lived in Connecticut.<sup>15</sup>

These arguments were reinforced by events transpiring in the constitutional struggle in England. The opinion of April, 1694, favored Connecticut's retention of the command of her militia. A quota of 120 was established as fulfilling her responsibilities to Governor Fletcher. Winthrop obtained from Queen Mary a letter dated June 21, 1694, which restricted Fletcher's Commission. This letter recognized colonial government to the extent of being addressed to the Governor & Magistrates of the colony and of indicating that Winthrop was authorized to inform them of their Majesties "glorious intention to continue our royal protection to you and to all our subjects of that our Colony, and particularly in what may relate to the preservation of the peace, welfare, or security of the same, and maintaining your just rights and privileges." In 1696, the quota was filled in accordance with the "desire of Govern<sup>r</sup> Fletcher," and the following year "the council apprehending themselves obliged by the royall mandate to comply with the motion of Colon<sup>l</sup> Fletcher" voted to send troops to Albany.<sup>16</sup>

When Winthrop returned from his agency in England in 1697 a fellow voyager was Lord Bellomont, who brought with him a commission as Governor of New Hampshire, Massachusetts, and New York. He was also charged with the control of the militia of Connecticut, Rhode Island, and New Jersey. Winthrop assured the colony, however, that "the government of Connecticut is well in the King's favor, and under a good opinion with the Lords' Commissioners of Trade and Plantations." Upon Winthrop's advice, a special committee was named to welcome Bellomont when he arrived in New York.<sup>17</sup> The British



desire for a unified control of the militia continued, but, apparently, an understanding prevailed between the colony and Bellomont. At least on one occasion, at Bellomont's suggestion the colony advanced a sum to one John Sabin for services he had rendered the English in his work with the Indians, and there is no record that Bellomont demanded submission of the Connecticut militia.<sup>18</sup>

The New England phase of King William's war degenerated into frontier raids which were hardly interrupted by the formal end of the war marked by the Treaty of Ryswick in 1697. This was based on the *status quo ante bellum* in America, except that commissioners were to be appointed to determine ownership of the posts in Hudson Bay.<sup>19</sup>

#### *War of the Spanish Succession (Queen Anne's War)*

The unreal peace was broken five years later when England looked to her colonies for assistance in securing the British Empire in North America. For England and her ally, Holland, the War of Spanish Succession was a war to block the ambitions of France in America. To forestall French inheritance of the Spanish empire, the balance of power principle which had previously operated in Europe was to be applied to America.<sup>20</sup> The military situation and the security of the empire seemed to demand unified control. A Parliamentary bill was introduced in 1701 "for reuniting to the crown the government of several Colonies and Plantations in America;" the Governors of New York and of Massachusetts vied for the control of Connecticut; and, after the accession of Queen Anne, several vigorous attacks were made upon Connecticut's charter.<sup>21</sup> Connecticut, however, resisted every attempt to infringe upon her autonomy.

The irregularity and injustice of the courts was one charge made against the colony as a basis for justifying royal control. A formal challenge grew out of a legacy made by one John Levin which conferred £40 annually to the ministry of New London. Nicholas Hallam, his stepson, sought to break the will and had the support of Edward Palmes. Palmes was an executor of the estate, as was his brother-in-law FitzJohn Winthrop. Palmes presented the will to probate only after being threatened with contempt. The will was upheld by the county court, and four years later sustained in England.<sup>22</sup> Shortly thereafter, Palmes,

in his own right, since his wife was deceased, sought to bring FitzJohn Winthrop to an accounting of his father's estate. The colonial court disallowed the petition, and again the decision was sustained in England by the King's council.<sup>23</sup> Even though the colonial decisions were sustained in these cases, the right of appeal was a matter of concern and a threat to the colony's independence.

The Mohegan land controversy arose out of the attempt of the heirs of John Mason to lay claim to the Mohegan territory, which, according to the claim of the colony, had been transferred to it. The claim of Mason's descendants was based upon a legal technicality of sufficient merit, in point of law, to cause the colony to attempt to secure its claim by a second purchase. The Masons were successful in gaining, in England, considerable sympathy and some financial assistance for the prosecution of the case. In 1705, the Privy Council directed that Governor Dudley should head a commission to "do justice to the Indian." Whether this stemmed primarily from English humanitarianism, as one author suggests, or illustrated a policy of maintaining friendship with the Mohegans while engaged in war with the French, or constituted a stratagem by which to bring Connecticut under royal control, it was followed by an *ex parte* decision in favor of the Masons.<sup>24</sup>

When Dudley had returned in 1702 as Governor of Massachusetts and New Hampshire, he was, also, given nominal control over the Rhode Island and the Connecticut militia in time of war, but not the force to make his management a reality. At the end of the year, he had proposed that the entire administration of Connecticut be placed under his control. Dudley charged that Connecticut had refused to assist Massachusetts in time of war and this was used as an argument for Her Majesty's appointing a Governor for the colony. Connecticut was invited to have Sir Henry Ashurst, a member of Parliament and Connecticut's London agent, present Connecticut's objections as a point of law against the Queen's appointing a Governor for the colony.<sup>25</sup>

The familiar mode of denying all charges and relying on the legality of the charter was followed. The defenselessness of the colony was denied. Since it was concluded that evidence was contradictory, the Board of Trade was directed to extract the principal arguments and present them to the accuser and to the colony for further corroboration.



The charges were not supported, and Ashurst, in his further defense of the military potential of the colony, defined the grounds upon which the colony would support Queen Anne's war: Connecticut would regard as a request any plea of a Governor of a neighboring colony, but would act on a command issued directly by the Crown.<sup>26</sup>

In the first years of the new war, Connecticut assumed no responsibility beyond the defense of her own borders, and this in the most desultory manner. The enlistment of Indians was encouraged for they were the better scouts and their use permitted equivalent numbers of English settlers to remain at home. It was realized, too, that frontier settlements were of value as outposts of defense. Whereas on previous occasions, inhabitants of sparsely settled areas were encouraged to move to more populous and protected areas, now, settlers were forbidden to leave frontier settlements without specific permission of the Court.<sup>27</sup> The War Council, empowered to manage affairs between sessions of the General Assemblies, was specifically forbidden to raise men to send out of the colony "unlesse in case of exigence." Some indication of the manner in which exigency was defined is seen in the reaction to the request for 100 men to march with Massachusetts against the eastern Indians. Notwithstanding the Indian depredations of 1703, it was judged that October was not a suitable season of the year for sending their troops into such a remote part of the country. Connecticut's contribution to the general defense was grudging and hedged by an outcropping of limitations.<sup>28</sup>

In conformity to Ashurst's statement of their position, the Court did not find it their duty "under the present circumstances" to comply with Dudley's request in 1707 for troops for an expedition against Acadia. Among the qualifying circumstances they pointed out that they had not "counciled" in the plans for the expedition and so had not had the opportunity for consent. However, when Queen Anne demanded the conquest of Acadia, the colony acted with dispatch to provide troops. Yet the use of the troops was conditioned by certain specific requirements: a large share of the economic burden was to be shifted from the colony; the troops should be under the command of someone from the colony; and the troops, in no circumstances, were to be used for occupation of the territory. Also, the employment of the troops was

contingent upon the sending of English troops. By mid-summer, 1,500 troops from Connecticut and the other colonies had been collected at Lake Champlain. When it was learned that expected English forces had been sent to Portugal and because pestilence had broken out in camp, Connecticut decided to transport the sick home by water and to march the others overland.<sup>29</sup>

When, at New York's plea, the contest was resumed in 1710, there were superficial indications that the colonies and England had learned to cooperate. The commander of the expedition was appointed by the crown and Connecticut was represented at the council of war. The General Court of Connecticut seemed enthusiastic about preparations. Accord was short-lived, and, when the combined forces easily overran the French, the colonial forces refused to assume any responsibility for occupation of the territory.<sup>30</sup>

Yet, on the eve of the ill fated campaign of 1711, Connecticut had come to give verbal expression to the idea that her security was bound to that of the empire and had pledged herself to execute Her Majesty's desires with all possible vigor.<sup>31</sup> The aftermath of this enthusiasm was ironical. In the English election of 1711, the Tories had unseated the Whigs and were anxious to win prestige. They sent a large fleet to Boston under the command of "blundering incompetents,"<sup>32</sup> as was said. Difficulties began almost at once, and soon both the imperial and colonial troops were casting aspersions on the merits of the other. Among the Englishmen, it was soon said that "if the British government did its duty, it would cancel all the charters of the colonies and place them under a single government."<sup>33</sup> The departure of the fleet for Quebec eased the tension, and its abject failure contributed to the suspension of hostilities.

Despite the lack of success in America, the treaty of Utrecht, 1713, placed all the areas in America where friction had occurred between the French and English under the control of Great Britain, as well as assigning her the lion's share of imperial spoils elsewhere. Britain had failed, however, to persuade the colonies to accept what England regarded as their responsibility for the defense of the Empire. Especially when the immediate threat of the French danger was removed, there was little inclination to meet England's demands on this point. The success of



the war, instead of increasing rapport, left the question of colonial responsibility for imperial defense to rankle and become a factor in the discontent leading to the American Revolution.<sup>34</sup> During the course of the two wars, Connecticut had maintained with considerable difficulty, a surprising degree of independence.

### *Post-war Development*

The overall expansion of New England had been seriously retarded by the Indian Wars (1676-1713). There had not been a single new town planted in Maine during the period, and there were actually fewer people in this frontier colony at the close of the period than at the beginning. In Massachusetts, Worcester county illustrates the effect of the Indian depredations. The record there is one of a series of settlements and abandonments until only one family remained in 1701, when the last outpost was abandoned and permanent settlement postponed until 1713. Rhode Island rebuilt the towns destroyed during King Philip's war, but expanded little after the 17th century except through the sub-division of old towns. Settlement in these New England colonies had become more constricted.<sup>35</sup>

Connecticut settlement, however, was less affected by these wars than the other colonies. Towns which suffered during King Philip's war were quickly rebuilt, as settlers who had fled the frontier returned soon after the war. Connecticut frontiers had been preserved and few men lost in the first of the wars with the French, and, in Queen Anne's War, "Connecticut had not been less fortunate than in former years," as Trumbull phrased it.<sup>36</sup> There was a slackening of the pace of settlement as compared to the first forty years of colonial development,<sup>37</sup> yet between 1676 and 1713 as many as twenty towns had been settled in spite of the Indian wars.

Settlement entered into a new phase after the treaty of Utrecht. The danger from the French had been lessened, and, although there were some sporadic Indian raids, the fear of the Indians had been diminished by the Iroquois' recognition of the sovereignty of the English in the region immediately to the west of Connecticut. Earlier settlement had accomplished the occupation of the Connecticut River valley and of the coast line in its first period. The establishment of

settlements 20 or 30 miles up the smaller rivers from the original settlements had constituted a second phase. Now the 18th century was marked by the filling in of this back country, the lessening of the homogenous characteristics of the settlers, and the increase of speculation.<sup>38</sup>

The engrossment of land began earlier in Connecticut than assigned dates would indicate to be true for other New England colonies, possibly because of the relative security of Connecticut during the frontier conflicts. Fitch's acquisition and the Mohegan land controversy can be understood only in terms of the possibility of gains.<sup>39</sup> Professor Labaree's study of the distribution of lands in Milford suggests that, despite the many grants made for the welfare of the community, some seemed not clearly to be for the recipient's occupation or agricultural developments.<sup>40</sup>

With the conclusion of war, this fever for expansion increased and included representatives of various elements of society. That a number of ministers were included lent an aura of respectability, and the reports of large profits stirred the imagination of the public. One D. Samuel Hall, for example, was reported to have bought some 1500 acres in Cold Springs for £34 in 1718 and later to have sold this tract for £1,000. This was only one of many such reports of profits from speculation in public lands.<sup>41</sup>

Speculators benefited from an inflation caused, in part, by the issue of paper money during Queen Anne's war. Private promissory notes, bills of exchange, and bills of credit had been used, and land bank notes had been suggested to supplement the supply of coin in the colony.<sup>42</sup> In 1709, when Connecticut was preparing for the Canadian expedition, the colony began to issue paper currency.<sup>43</sup> The aggregate amount in circulation increased each year from this first issue of £19,000 to a total of £26,500 in 1715. These notes bore five percent interest and were secured by a general property tax. The due date of these taxes varied from one year, when one-half of the first issue was to be redeemed, to twelve years, when the fifth issue was to be redeemed. Of the £26,500 in circulation in 1715, a proportionate amount was to be redeemed annually for the next ten years.<sup>44</sup> So long as there were demands for wartime goods, paper money proved stable and convenient. There



had been relatively little depreciation in the currency by the end of the war. Once the war was over, however, money became cheap.

The long-term commitment of income created something of a frozen-in inflation, inasmuch as there was no possibility of immediate public redemption at face value.<sup>45</sup> Also, there were further emissions after 1713, purportedly for the purpose of taking up earlier impressions which had been defaced or counterfeited. The new issues, however, contributed to the easy money mentality. In actual practice, of the total of £47,000 bills issued from 1713 to 1732, only approximately £30,000 were actually appropriated for the payment of colonial debts, and the remainder became a part of the circulating medium of the colony.<sup>46</sup>

To the state's easy money policy was added a bolder scheme proposed by a group of New London merchants, who sought to increase their capitalization by using land as collateral against which bills of credit would be issued. The legislature had refused such a request in 1729. Within three years, however, the company had gained political friends and acquired political skills. The company was represented as planning to engage in the fishing industry. To promote trade with the West Indies, then, the Assembly, in 1732, approved the proposal and incorporated the New London Society for Trade and Commerce. Within three months, the Society began issuing bills of credit against real estate mortgages deposited as security for the loans.<sup>47</sup>

When complaints against the bills mounted, the government became fearful they would adversely affect the credit of the colony, and/or endanger the charter. A special session of the Assembly was called in February, 1733. The denial by the company of the jurisdiction of the court was waived. The Court determined that the bills were similar in nature to those issued by the colony and prohibited the issue of bills of credit by any person or society "to be used and improved as a general currency, or a medium of trade and in lieu of money."<sup>48</sup> The Society was to refund to the possessors of its bills an amount in current money equivalent to the bills held. The General Assembly made available 15,000 pounds against which the Society could borrow at six percent interest to meet its responsibilities. When refunds had not been made by the time the General Assembly next met, it was decided that a court of chancery should arbitrate the claims against the Society.<sup>49</sup> At the

time of the settlement, an additional 15,000 pounds was issued for the use of the government, making a total of 30,000 pounds of "new money" in circulation. The litigations between the holders of the bills and the Society were numerous, but the difficulties among the members of the company were almost as great. In 1636, the Society appealed to the General Assembly to appoint a commission to divide the common stock of the Company in order to prevent discord among its members and to prevent certain proprietors from claiming exemption from loss in the stock.<sup>50</sup>

The economic unrest and a spirit of defection, particularly in the eastern part of the colony continued for years. The steady increase in currency decreased its value, but increased its circulation. One could borrow money and pay it off with a new loan, at a higher rate to be sure, but, then, the process could be repeated. Scholars may judge the period after 1715 as one of unsound economy, but it had all the outward appearances of an era of prosperity. The cheap money system made the acquisition of land easier.<sup>51</sup>

The impulse for the occupation of the western territory seems to be found less in an increased density of population than in the relation of this increase to the exhaustion of soil in the older settlements. Extensive agriculture had been pursued as if it were solely an extractive industry: corn lands had been poorly tilled and meadows unimproved.<sup>52</sup> The remedy for the resultant soil exhaustion was thought to be transference to more productive lands. Although exact, comparative statistics are not available, it is doubtful that Connecticut was keeping pace in population with some of the neighboring colonies. Despite the strain in religious affairs derived from growing differences in opinion among the settlers,<sup>53</sup> strangers were not readily welcomed in the Congregational communities. Such inhospitality was not the only deterrent to an influx of inhabitants: the absence of towns large enough to provide a market adequate to the support of a non-agricultural population meant that emigrant artisans were attracted to other colonies rather than to Connecticut.<sup>54</sup> The natural increase of population among the inhabitants cannot, however, be completely discounted as a factor in the occupation of lands to the west. It is estimated that the number of persons in Connecticut increased from twenty to sixty thousand from



1690 to 1730. An additional forty thousand were added to the total by mid-century,<sup>55</sup> evidencing, it was said, "the blessing of the Almighty on the fruit of our bodies and the fruit of our lands." Early marriages furthered population increase; and notable industriousness, to which the younger children were motivated by their rights to share in the inheritance, hastened exploitation. The relation between the productivity of the land in the old settlements and the increased population had considerably worsened.<sup>56</sup>

Land hungry settlers, after the treaty of Utrecht, moved into the unsettled lands, laid claim to them, and sold the land as if it were their own. The government, however, refused to countenance squatter rights. When, as it was alleged, the settlers quarreled and fought over their rights at great expense to the government, the government promptly denied the right of any claim which it had not conveyed and assessed a fine of ten pounds for each offense. The next year, in 1719, the Assembly declared the western area to be colonial domain reserved for the benefit of the colony. When the squatters persisted, a committee was named, in 1722, and empowered to arrest the violators.<sup>57</sup>

The demand for land was revealed in conflicts in the old settlements as well as on the frontier. Difficulties varied from small matters, such as attempts to include, within fenced parcels, land that had been set aside for highways or was still reserved as commons,<sup>58</sup> to major principles of land distribution. Although, in practice, in the earlier settlements, the distribution of land was frequently determined in town meeting, the legal right remained with the proprietors of the settlement. As the number of inhabitants increased in proportion to the number of proprietors, there developed a movement to distinguish the proprietors from the inhabitants and to transfer land distribution determinations to proprietors' meetings. At the beginning of the 18th century, there remained large amounts of undivided land within the settlements. The descendants of the original proprietors were fearful that newcomers would benefit from the earlier efforts and wished to exclude recent arrivals from distributions. The newer inhabitants objected and the incipient contest between the older and newer elements still has overtones in contemporary Connecticut.<sup>59</sup>

The contest was characteristic of all New England, although the

extent of bitterness varied from town to town. The General Court consistently upheld, it seemed, the rights of proprietors. In Milford, it appears that the differences were settled amicably. In 1713, at a town meeting, the rights of the proprietors were upheld and these were confirmed in the same year by the General Court. Shortly thereafter, such distribution of additional lands as was judged "Reasonable" was made to inhabitants who had been admitted after 1688.<sup>60</sup> On the appeal of New London, the Court decreed that "no person, by becoming an inhabitant" after the original patent had been confirmed "could have any right to dispose of any land in said town by voting in town meeting."<sup>61</sup> As the new inhabitants continued to challenge the position of the proprietors in several towns, a general law was passed in 1723 which provided that the rights of the proprietors would be held valid unless there was a vote of record in the towns indicating that the proprietors had at some previous date voluntarily surrendered their privileges. A second act in October 1723 ordered the time and place of proprietors' meetings to be announced in advance by an Assistant or a Justice of Peace. Such a requirement, perhaps, enabled inhabitants to exert a timely pressure on proprietors, but no more. By the end of the first quarter of the 18th century, the inhabitants were demanding a greater share of the undivided lands. If their expectations were not realized in the established communities, there were some who would look to western Connecticut and later to lands beyond the boundaries of the colony.<sup>62</sup>

The settlers of Connecticut had from the beginning demonstrated their willingness to press claims in territory where they held only the most tenuous rights and their competency to hold their own in title disputes. The boundary disputes which had originated in the loosely worded colonial charters of the 17th century had continued into the 18th. The intervening years were filled with interminable petitions, correspondence, bickering, and threats which several times carried the disputes to England where they invariably became involved in the attempts of various parties to void Connecticut's charter. In fear that British intervention would result in disaster for all, Connecticut and the other contestants grudgingly worked out avowedly final agreements in the early years of the century. Connecticut's treaty of 1683



with New York was confirmed by the Crown in 1700. The threat of the Board of Trade to withdraw the charters of both Connecticut and Rhode Island was sufficient to cause them to agree in 1703 on a boundary between the two colonies. In 1713, when it appeared that the separate memorials by Connecticut and Massachusetts might cause both to be made royal colonies, they agreed to  $42^{\circ}38'$  as a boundary, except that Massachusetts was permitted to retain the border towns. This agreement, however, failed to reckon with the persistence of Connecticut settlers.<sup>63</sup>

Connecticut had long since proved the efficacy of effective settlement in boundary determinations, and illustrated it again in the contest for the Massachusetts border towns. Connecticut settlers continued to move to these towns and soon movements for secession had begun. Their affinity for Connecticut may have been increased by the lower taxes of the colony to the south. In spite of the opposition of Massachusetts, the towns of Enfield, Somers, Suffield, and Woodstock were eventually permitted to join Connecticut. There was a Yankee overtone in the final settlement, for Massachusetts had granted Connecticut about 100,000 acres in New Hampshire to compensate for her retention of the towns in 1713, yet Connecticut did not think it necessary to return to Massachusetts the approximately £683 for which these lands had been sold.<sup>64</sup> It was possible to consider that sum as due from Massachusetts for the use of lands which had always rightly belonged to Connecticut.

A time lag of several years between the initial agreements by Connecticut and her neighbors and the confirmation by the Crown and further delay between this confirmation and the execution of official surveys led to additional bitterness. The Rhode Island agreement of 1703 was not confirmed until 1725-26 and not surveyed until the following year. Although the Crown confirmed the agreement with New York in 1700, the survey was delayed until 1725 and not completed until 1731. The Oblong or equivalency land, given to New York as compensation for Connecticut's retention of land on the shore, was formally transferred to New York only at this time.<sup>65</sup>

There were difficulties, too, within the colony over land titles based upon Connecticut's own grants, because of the colony's in-

testacy law. Since 1639, Connecticut had distributed land in accordance with an adaptation of the Mosaic Code, allotting one third of an estate to the wife and the remainder in equal proportion to the children, except that the oldest son was to have a double share.<sup>66</sup> In 1699, the custom was enacted into formal law. The British practice of primogeniture was clearly not adaptable to the needs of a frontier based upon agriculture and faced with a scarcity of labor. To intensify development of settled areas, to discourage a broad and superficial engrossment, and to be fair and treat every man fairly, the colony had departed from the English custom.<sup>67</sup> In 1717, when his father died, John Winthrop denied the validity of the intestacy law, and appealed a colonial ruling against him in England. In 1729, the intestacy law was disallowed by order in council as contrary to the laws of England and unwarranted by the charter. The decision was a point of issue for more than a decade, during which contradictory legal opinions were issued and the constitutional question of the relation of Connecticut to the Crown was fully explored. In 1745, the Privy Council dismissed a similar case on the grounds that the appeal had not been prosecuted within the prescribed time. Connecticut placed the best possible interpretation upon this and the question never came up again.<sup>68</sup> Had the principle of primogeniture been enforced, most of the land titles in the colony would have been voided, and the entire economic system, especially in those cases where creditors had taken lands in payments for debts, would have been disturbed. Also, in the opinion of Andrews, the application of the British principle would have resulted in a desertion of the lands and in a lessening of the population.<sup>69</sup>

The problem of land titles within the colony stemmed, too, from its attempt to place the lands securely out of the reach of Andros in 1687, by ratifying all grants made by town proprietors and by issuing title to the lands in the western part of the colony. This had established a legal barrier against Andros' conferring the land to people of his selection, but it presented all the land presently included in Litchfield County to the proprietors of Hartford and Windsor. So long as there was not a great demand for this land there was no serious problem, but as land hunger grew more avid the whole extent of area involved came to be regarded as too large a share of the colony's estate to pass to two towns.<sup>70</sup>



The Assembly sought to recover a share of the territory. All the forces at play are not clear, but it seems that many in Windsor were eager to develop the region<sup>71</sup> and agreed to a compromise rather than risk a delay that would attend a contest. It was agreed that the colony should dispose of all land west of Litchfield and west of a line running north to the Massachusetts line from the northwest corner of the Litchfield township. The towns of Hartford and Windsor were to dispose of all land to the east of that line. The line running north was subsequently moved east to a point four miles west of the Naugatuck to secure a more equal division of the territory.<sup>72</sup>

An immediate allocation was made of the eastern half establishing the division between Windsor and Hartford. Approximately 69,000 acres were turned over to those inhabitants of Windsor who were on the tax list in 1720 and slightly more than 70,000 acres to the 405 inhabitants of Hartford. Each taxpayer was to receive an undivided share in one of the new townships. The extent of this share was determined by the taxpayer's rateable estate at a ratio of three acres to the pound. Harwinton, New Hartford, and Stonington were the first of the new townships to be settled. Barkhamsted, Hartland, Winchester, and Colebrook were settled more slowly.<sup>73</sup>

With the opening of these lands, speculation reached a new high. Three hundred acres in each township were reserved for Yale College and one share each for the ministry and schools. The remaining land in Salisbury was divided into twenty-five shares and in the other towns into fifty shares, all of which were sold at public auction.<sup>74</sup> The stipulated, minimum bids were from £30 to £60 per share. The price paid for the shares varied from town to town. Those of Sharon sold for £200 for 700 acres in 1738. Some effort was made to control the influx of non-resident proprietors, but in Cornwall, in 1739, approximately half of the 23,000 acres of the town were owned by sixty persons living elsewhere in the colony, in Boston, or in New York. When agents of Canaan, Goshen, Kent, and Cornwall wrote the Assembly for relief because of the severe winter of 1740-41, they complained bitterly of the first purchasers who had made "merchandise" of their property and asked for the privilege of imposing a double tax upon the lands of non-residents. This request, however, was refused.<sup>75</sup>

## NOTES—CHAPTER IX

- <sup>1</sup> Lawrence Henry Gipson, "The American Revolution as an Aftermath of the Great War for Empire, 1754-1763," *Political Science Quarterly*, LXV, No. 1, March, 1950, pp. 89-102; Gerald Stourzh, *Benjamin Franklin and American Foreign Policy* (Chicago, c. 1954), pp. 35-40.
- <sup>2</sup> Max Savelle, *The Foundations of American Civilization, A History of Colonial America* (New York, c. 1942), p. 291.
- <sup>3</sup> Adams, *Founding of New England*, pp. 436-37; Trumbull, *History of Connecticut*, I, p. 318.
- <sup>4</sup> *Conn. Col. Rec.*, IV, pp. 14-32. The vulnerability of the colonies invited first the attack of Indians in Massachusetts. With guns and ammunition previously sold them by Boston merchants, the Indians captured the fort at Pemaquid and fell upon the settlers of the surrounding territory. Neighboring colonies, including Connecticut, dispatched troops to quell the uprising. This Indian outbreak and the underlying enmity which it indicated made the French danger more ominous. See Adams, *Founding of New England*, pp. 436-437.
- <sup>5</sup> Adams, *Founding of New England*, p. 438; James Truslow Adams, *Revolutionary New England, 1691-1776* (Boston, 1927), p. 43; Trumbull, *History of Connecticut*, pp. 321-22, 329-30.
- <sup>6</sup> Hoadly's Introduction to "Will and Doom," *Collections*, Conn. Hist. Soc., III, p. 74.
- <sup>7</sup> George M. Wrong, *The Rise and Fall of New France* (New York, 1928), II, p. 522.
- <sup>8</sup> Adams, *Founding of New England*, p. 438; Adams, *Revolutionary New England*, p. 43; Trumbull, *History of Connecticut*, Vol. I, pp. 321-22.
- <sup>9</sup> *Ibid.*, pp. 322-23; Adams, *Founding of New England*, p. 438; Adams, *Revolutionary New England*, p. 43.
- <sup>10</sup> Trumbull, *History of Connecticut*, I, pp. 323-34; *Conn. Col. Rec.*, IV, pp. 38-39.
- <sup>11</sup> Adams, *Founding of New England*, pp. 437-38; Adams, *Revolutionary New England*, p. 43.
- <sup>12</sup> *Conn. Col. Rec.*, IV, p. 111.
- <sup>13</sup> Hoadly's Introduction to Buckeley's "Will and Doom," *Collections*, Conn. Hist. Soc., III, pp. 75-76.
- <sup>14</sup> *Ibid.*, p. 75, and note.
- <sup>15</sup> *Ibid.*, p. 76; Trumbull, *History of Connecticut*, I, pp. 329-33.
- <sup>16</sup> *Ibid.*, *Conn. Col. Rec.*, IV, p. 190.
- <sup>17</sup> *Ibid.*, p. 234, incl. note, 238, note 251.
- <sup>18</sup> *Ibid.*, p. 321, incl. note.
- <sup>19</sup> Savelle, *Foundations of American Civilization*, p. 292.
- <sup>20</sup> *Ibid.*, pp. 293-97.
- <sup>21</sup> Hoadly, ed., Introduction to "Will and Doom," *Collections*, Conn. Hist. Soc., III, p. 76; G. H. Hollister, *History of Connecticut*, I, pp. 352-53.
- <sup>22</sup> *Ibid.*, pp. 354-55, note.
- <sup>23</sup> *Ibid.*; *Conn. Col. Rec.*, IV, pp. 271-72.
- <sup>24</sup> Edith Anna Bailey, *Influences Toward Radicalism in Connecticut, 1754-1775*, Smith College Studies in History, IV, no. 4 (Northampton, 1920), pp. 188-89.
- <sup>25</sup> Adams, *Revolutionary New England*, pp. 62-67.
- <sup>26</sup> Trumbull, *History of Connecticut*, I, pp. 352-53.
- <sup>27</sup> *Ibid.*, I, p. 342; *Conn. Col. Rec.*, IV, p. 464.
- <sup>28</sup> *Ibid.*, pp. 442, 455-56, 462, 506, 517.
- <sup>29</sup> Wrong, *Rise and Fall of New France*, II, pp. 550-70; V, pp. 17-18, 91-92.
- <sup>30</sup> *Ibid.*, pp. 163-168.



- <sup>31</sup> *Ibid.*, pp. 245-47.
- <sup>32</sup> Wrong, *Rise and Fall of New France*, II, pp. 570-76.
- <sup>33</sup> *Ibid.*, p. 576.
- <sup>34</sup> Gipson, "The American Revolution as an Aftermath of the Great War for Empire," pp. 86-104; Savelle, *Foundations of American Civilization*, pp. 297-300.
- <sup>35</sup> Louis Kimball Mathews, *The Expansion of New England* (Boston, 1909), pp. 43-64.
- <sup>36</sup> Trumbull, *History of Connecticut*, I, p. 381.
- <sup>37</sup> In some instances permanent settlement was delayed because of conflicts over titles to land. When the territory, upon which the settlement of Plainfield was begun, became a subject of litigation between James Fitch and Wait and FitzJohn Winthrop, disorder reigned. The proprietors did little to improve the land, and population and town improvements developed slowly although a division of the area into the towns of Plainfield and Canterbury was made. Not until a highway was built to join Plainfield and Providence did the settlements begin to overcome the effects of the dispute. It seems probable that the Winthrops were behind the charge that Fitch was a "land pirate" and "very pernicious," yet, as late as 1714, he was still widely regarded as the greatest obstacle to rapid settlement, as he controlled the best land in Canterbury. Lisbon was similarly retarded by the difficulty in securing a title. Here, although purchases were made in 1694-95 and settlements begun almost immediately, there were only sixteen on the roll of accepted inhabitants by 1718. See Deming, "Settlement of Connecticut Towns," Conn. Ter. Comm. Publ., pp. 56-59; and Mathews, *Expansion of New England*, pp. 65-66.
- <sup>38</sup> Deming, "Litchfield County," Conn. Ter. Comm. Publ., p. 15.
- <sup>39</sup> Deming, "Settlement of Connecticut Towns," pp. 52-53.
- <sup>40</sup> Labaree, "Milford," p. 13-22.
- <sup>41</sup> Boyd, *The Susquehannah Company Papers*, 4 Vols. (Wilkes-Barre, Penna., 1930-34), I, p. xliii.
- <sup>42</sup> Nettels, *Money Supply*, pp. 250-58.
- <sup>43</sup> *Conn. Col. Rec.*, V, pp. 111-13, 127-28.
- <sup>44</sup> Nettels, *Money Supply*, pp. 258-59 inc. note.
- <sup>45</sup> *Ibid.*, p. 261.
- <sup>46</sup> Bronson, *Connecticut Money*, pp. 36-37.
- <sup>47</sup> Oscar Zeichner, *Connecticut's Years of Controversy* (Chapel Hill, N. C., 1949), pp. 39-40; *Conn. Col. Rec.*, VII, pp. 420-22; Talcott, *Papers*, I, p. 266, note.
- <sup>48</sup> *Conn. Col. Rec.*, VII, pp. 420-23.
- <sup>49</sup> *Ibid.*, pp. 421-22, 442-56.
- <sup>50</sup> *Ibid.*, pp. 449-50, 478, 502, 507-508 note, 560; VIII, 24, 69, 73-74, note, 234-35, note 471-72; IX, 438-39, 445.
- <sup>51</sup> Glenn Weaver, *Jonathan Trumbull, Connecticut's Merchant-Magistrate 1710-1785* (Hartford, Conn. 1956), p. 11.
- <sup>52</sup> Boyd, *Susquehannah Company Papers*, I, p. XLVI; Bidwell and Falconer, *History of Agriculture*, pp. 311-33; Albert Laverne Olson, "Agricultural Economy and the Population in Eighteenth-Century Connecticut," Conn. Ter. Comm. Publ., pp. 10-13.
- <sup>53</sup> See below Ch. X.
- <sup>54</sup> Boyd, *Susquehannah Company Papers*, I, pp. ix-xi.
- <sup>55</sup> Olson, *Agricultural Economy and Population*, p. 21.
- <sup>56</sup> *Ibid.*, p. 11.
- <sup>57</sup> *Conn. Col. Rec.*, VI, pp. 78, 355-56.
- <sup>58</sup> *Ibid.*, p. 449.
- <sup>59</sup> Labaree, "Milford," pp. 18-21.
- <sup>60</sup> *Ibid.*, p. 21.

<sup>61</sup> *Conn. Col. Rec.*, VI, pp. 131, 161-62, 189.

<sup>62</sup> *Ibid.*, pp. 394-97, 424.

<sup>63</sup> Hooker, "Boundaries of Connecticut," pp. 9-18.

<sup>64</sup> Yale was the beneficiary of this sale. See *ibid.*, pp. 19-24.

<sup>65</sup> The town of Ridgefield expected to lose some of its land in consequence of the survey of the New York-Connecticut line and petitioned the Connecticut Assembly for a compensatory grant. The Assembly deferred action on this petition until the survey had been made. The residents of Ridgefield immediately requested permission of the Governor of New York to settle in the equivalency lands. Without awaiting his approval, so he charged, they moved into the territory, "in a riotous and tumultuous manner, pulled down and burned a dwelling house and cut down and destroyed timber and fences," and threatened to continue this course. Connecticut compensated the town for its lost territory with a grant claimed, as soon as he could dispatch a letter, by the Governor of New York in the name of his Majesty. The contest was prolonged, too, because the Crown on the very day of the transfer of the equivalency lands, had granted the territory to a group of Englishmen who recognized in the confusion an opportunity for quick profits. Whether the land still belonged to previous proprietors under a patent from Connecticut or whether it was open for new grants was questionable. *Conn. Col. Rec.*, VII, pp. 101, 337; "Talcott Papers," I, in *Collections*, Conn. Hist. Soc., IV (Hartford, 1892), pp. 224, 270-71, note; Boyd, *Susquehannah Company Papers*, I, p. xxxix.

<sup>66</sup> See above, Ch. V.

<sup>67</sup> Charles M. Andrews, "The Connecticut Intestacy Law," pp. 1-6, *Conn. Col. Rec.*, IV, pp. 306-12.

<sup>68</sup> Andrews, "Intestacy Law," pp. 16-28.

<sup>69</sup> *Ibid.*, pp. 14-15.

<sup>70</sup> *Conn. Col. Rec.*, VI, p. 504.

<sup>71</sup> Deming, "Litchfield County," p. 2.

<sup>72</sup> *Ibid.*

<sup>73</sup> *Ibid.*, pp. 3-4.

<sup>74</sup> *Ibid.*, pp. 6-8.

<sup>75</sup> *Ibid.*, pp. 8-14; *Conn. Col. Rec.*, VIII, pp. 472-73.



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## Chapter X

### Religious Dissent, 1730-1750

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THERE DEVELOPED during the first half of the eighteenth century, not only the issues of an expanding frontier, but also challenges to the established religious order. Together these laid a basis for subsequent dissent in the land of steady habits.

The challenge to religious orthodoxy which had developed after 1680 had made attempts to enforce religious discipline fruitless: reformation laws to curb vice and corruption failed. As control over the ministers had gradually shifted from small groups of church communicants to the town, there had developed a widening of the basis for baptism.<sup>1</sup> The strongest early protest against established Congregationalism had come from Northampton in the person of Solomon Stoddard, who, perhaps, had greater influence in the Connecticut Valley than any other minister.<sup>2</sup> Although Stoddard emphasized the absolutism and arbitrariness of God who “exercises grace freely from His Sovereign Will and Pleasure,”<sup>3</sup> he discontinued the distinction of half membership, and, as a practical measure for meeting the needs of the frontier, admitted all who had been baptized to the Lord’s Supper.<sup>4</sup> In his treatise, “The Safety of Appearing at the Day of Judgment,” published in 1687, he argued that all men should feel safe in partaking of the Lord’s Supper, and concluded that one need not worry that he does not know the subtleties of theology if he knows what will satisfy his heart.<sup>5</sup> This Stoddardeanism was not approved in Boston, but it enabled Stoddard to increase the membership of his church greatly and to increase his influence in the Connecticut Valley.

Yet, although Stoddard opened the doors of the Church more widely, he was not democratic. Instead, he contended that “the Elders

are to Rule over the Church, and therefore not to be over-ruled by the Brethren," and he held that "the Community are not men of understanding."<sup>6</sup> To enforce discipline and maintain control over the choice of ministers, Stoddard encouraged particular churches to join into regional associations. Through the teaching of Stoddard and the practices which he encouraged, the view that an authoritative body should be established to supervise the churches gained wide acceptance. The established order in Connecticut favored such a control, and Yale College, which had been founded in 1703, favored the establishment of a stronger ecclesiastical government. When Gordon Saltonstall of New London, a most ardent defender of the synod, became governor in 1708, the time seemed propitious to attempt to eliminate the defects of the discipline of the Church.<sup>7</sup>

### *The Saybrook Platform*

"To invigorate church discipline," the ministers of the several counties were directed to meet in June 1708 "to consider and agree upon those methods and rules for the management of ecclesiastical discipline." They, in turn, named as delegates twelve ministers, including eight trustees of Yale, to meet at Saybrook, September 9, 1708, where the platform of Church discipline was adopted.<sup>8</sup>

The results of the meeting were included in a volume published in 1710, which apparently was designed to present the sum of Church discipline at that time. The usual praise of the Toleration Act was included. *The Heads of Agreement* and *The Savoy Confession of Faith* were reprinted. The *Confession*, which had been formulated by the English leaders of the Congregational Church in 1658 and reaffirmed by the reforming synod of Boston in 1680, contained a declaration of church order.<sup>9</sup> *The Heads of Agreement* represented an effort by the Presbyterian and Congregational Churches to reconcile their differences. While no specific mention was made of the church covenant, the church was referred to "as a competent number of visible saints consenting together."<sup>10</sup> It did not give authoritative jurisdiction to the governing body of the Church, but it did require that neighboring churches be consulted on certain matters.<sup>11</sup>

The main body of the Platform consisted of the newly formulated





*(Courtesy Conn. State Lib.)*

COLUMBIA—OLD CONGREGATIONAL CHURCH AND  
MEETING HOUSE ON THE GREEN

“Fifteen Articles.” These increased the power of the elders by joining them with pastors into associations and by organizing the churches into Unions or consociations. The associations exercised extensive power through such privileges as that of recommending candidates for the ministry. The consociations could be appealed to for advice by the church before sentencing an offender, but an offender could not appeal to the consociation without the approval of the church. Religion in Connecticut moved closer to Presbyterianism. Yet, when interpreted

in the light of the *Heads of Agreement*, the platform could be considered as providing for only voluntary confederation.<sup>12</sup> The administrative machinery was more clearly defined.

The Platform granted no formal coercive power. However, through the legislative provision for the public support of the ministers, a coercive influence upon a recalcitrant was available. It appeared that the established church had attained the height of its power with the legalization of the new administrative arrangements by legislative sanction. This "government within a government" attained peace for a while, but it had been bought at the expense of orthodox Congregationalism, since it adopted Presbyterian administrative controls.<sup>13</sup> Too, it appeared to grant a degree of tolerance (which would not have been countenanced in an earlier period), to dissident religious groups, since, in publication, it was coupled with acceptance of the Assembly's Toleration Act.

### *The Dissenters*

There were four dissenting religious groups in Connecticut at the time of the passage of the Toleration Act of 1708: the Quakers, Episcopalians, Baptists, and Rogerenes. The last centered in New London and had been introduced from Rhode Island in the last quarter of the seventeenth century. They disapproved of the paid ministry of the Congregationalists, disagreed on the form of administering baptism, and believed in personal regeneration which the established order denied. For a quarter of a century, they had been harassed and imprisoned by Connecticut authorities, principally for their public testifying on Sunday and for their demanding use of the churches. The persecution of the sect continued after Rogers refused Governor Saltonstall's offer to protect the Rogerenes if they would but give up their public testifying and conduct their services in private.<sup>14</sup>

Saltonstall was less tolerant of the Baptists, who first began to come into Connecticut from Rhode Island at the beginning of the eighteenth century. When they began a church at Groton in 1705, in disregard of the General Court's refusal to grant them permission to incorporate in church estate, they were met with the full penalties of the law which provided for fines, imprisonment, and flogging.<sup>15</sup>



Connecticut at first, in contrast to New Haven, followed a policy of unusual moderation toward the Quakers. Most of these were found in border towns. They were ministered to by traveling preachers or they attended monthly or quarterly meetings in neighboring colonies. This general tolerance was extended until 1702. Then, perhaps because of the challenges of other sects, and, perhaps, because of the weakness of the established church itself, the colony began a policy of oppression. The Quakers promptly protested to England. England, in 1705, ordered the repeal of the law of 1657 against heretics insofar as it applied to Quakers. Connecticut, in the midst of defending her charter, quickly obeyed.<sup>16</sup>

The Episcopalians, because of their close relations with the government in England, constituted the greatest threat to Connecticut. Until the numbers of Episcopalians increased near the end of the seventeenth century, Connecticut could discharge her responsibilities to the Church of England by implying that its services would be permitted as soon as the settlers desired it. There prevailed, however, a party in England interested in strengthening the Episcopal bond between the colonies and the home government. A report on the "churchly sentiment" within the colonies resulted in the formation in 1701 of a Society for the Propagation of the Gospel in Foreign Parts, to which belonged all the English Bishops.<sup>17</sup>

This Society sent missionaries to several of the American colonies, emphasizing publicly their functions of ministering to church members and converting Indians, but, also, expecting them to attempt to persuade dissenters to conform. In answer to a suggestion of Caleb Heathcote, a man of wealth and influence in New York, a license was issued in 1706 to George Muirson, a missionary in New York, giving him permission to go to Connecticut to baptize children of Anglicans living there. Although those who attended his services were threatened with imprisonment, converts were made and included John Read, the Congregational Minister at Stratford, and some of his parishioners.<sup>18</sup> The Society, its missionaries, clergymen in the middle colonies, and the increasing number of Anglicans in Connecticut all urged the establishment of an American episcopate. The demand was reinforced by the unsettled political relation of England and Connecticut. An-



glicans felt the situation would be improved by strengthening the Church in the colony; Connecticut's opposition was somewhat hampered by her ever present fear of the loss of the charter. By the time Saltonstall became Governor, it began to appear that religious discontent had reached dangerous proportions. It was to ameliorate royal



HEBRON—ST. PETER'S CHURCH (EPISCOPAL)

disfavor and to disarm complaints against the colony that the Toleration Act was introduced.<sup>19</sup>

This provided that a dissenter, by taking the oath of allegiance to the Crown, by denying transubstantiation, and by declaring dissent from Congregationalism, would be guaranteed the same liberty of worship as that established by law, provided that "nothing . . . shall be construed to the prejudice of the rights and privileges of the Churches as by law established in this government, or to the excusing of any person from paying any such ministers or town dues, as are now or



shall hereafter be due from them.”<sup>20</sup> Obviously, the act did little to encourage dissent. The Quakers and the Rogerenes were prevented by principle from taking the oath of allegiance. Others were dissuaded from becoming Baptists or Episcopalians by the requirement that they would have to continue to lend financial support to the established church, by the social opprobrium which could be levied against them, and the laws which would be applicable if they should fail to practice their choice diligently.<sup>21</sup> From this beginning, however, a margin of concession was forced by the dissenters upon the established church of the colony during the next twenty years.

All but the Rogerenes gained a measure of tolerance within the next two decades. Even they, by their militant striving for status, extended the limits of the liberty toward which later generations might strive. Their effectiveness can, perhaps, be measured by the oppressiveness of the act designed to bring them under control. Significantly, the “Act for the Better Detecting and More Effectual Punishment of Prophaneness and Immorality,” aimed principally at the Rogerenes, departed from a basic Anglo-Saxon principle of jurisprudence: Rogerenes were held guilty until proved innocent.<sup>22</sup> One “not able to prove . . . that he or she has attended the said worship, shall incur the penalty of five shillings money for every such offense.” For convening in a meeting house when approval had not been previously gained, they were fined 20 shillings. If they should be found away from home for reasons other than to attend public worship or for performing some other necessary work, they were fined five shillings. For unlawful behavior on the Lord’s day, they were fined forty shillings. If the convicted refused or neglected to pay their fine, they were to be employed in labor for the colony for a month at their own expense. Until Talcott became Governor in 1724, the persecution of the Rogerenes continued. It was learned, however, that the most effective way of controlling the Rogerenes was to ignore their behavior. When stripped of the role of the persecuted, the sect became numerically insignificant.<sup>23</sup>

The Episcopalians, after the passage of the Toleration Act, looked hopefully toward the establishment of a bishopric in America. Anglicans questioned the validity of lay ordination and the validity of sacraments administered by such questionable clerics.<sup>24</sup> It was important





*(Courtesy Conn. Devel. Comm.)*

CHESHIRE CHURCH



to them that they be served by Episcopally ordained ministers, especially since they felt that sacraments were a means of grace necessary to salvation. As long as ordination had to take place in England, the supply of such ministers, especially of those of colonial origin, was limited. The high death rate from the overseas trip was offered as an explanation as to why many colonists were deterred from seeking proper ordination.<sup>25</sup> It was known that Queen Anne was interested in establishing an American bishopric and a bill for the expansion of the Church of England in America and for its severance from the Bishop of London had been prepared. So confident were the proponents of the bill that a home for the prospective Bishop was purchased in Burlington, New Jersey. With the death of the Queen, however, the bill was withdrawn, and an effort to interest King George failed.<sup>26</sup>

The growing number of Anglicans in America, as well as interested persons in England, kept the idea alive. In addition to doubts about lay ordination which motivated ministers, especially, to defect from Congregationalism and to seek Episcopal ordination, a factor in gaining new converts was the exclusionist inclination of the Congregationalists, under which many were completely denied the sacraments of baptism and communion.<sup>27</sup> In 1718, at Stratford, which was the center of Episcopalianism in the colony, it is estimated that there were congregations of from two to three hundred.<sup>28</sup> Episcopalianism received a further stimulus when, in 1722, Timothy Cutler, the Rector of Yale, Daniel Browne, then the only other instructor, and several companions declared for Episcopacy. Although some of these recanted, Cutler and four of the companions, including Reverend Samuel Johnson went to England where they were ordained.<sup>29</sup> This infiltration of Anglican conviction, particularly in regard to ordination, had resulted from a collection of books given to Yale by English donors. They yielded a harvest to meet the wishes of the Anglican who donated the money with which Yale was founded, for he was persuaded to make his gift because of the argument of Jeremiah Dummer, an agent of Connecticut in London, "if the discipline of the Church of England be most agreeable to Scripture and primitive practice, there's no better way of making men sensible of it than by giving them good learning." These notable conversions intensified both Congregational animosity

and Anglican confidence. The Congregationalists felt they must prevent the growth of Anglicanism. As late as 1779, the books which had influenced the defection of Cutler and his companions were available to students only by special permission and subsequent proffers of books by Anglicans were held suspect. Harvard's library was examined by a committee of ministers and magistrates in the hope of preventing a similar occurrence at that institution. The Anglicans became more vociferous in their demand for an American bishopric, were emboldened even to contend that theirs was the established church in the colony, and, on this basis, to press for exemption from taxation to support Congregational churches.<sup>30</sup>

Although the Anglicans did not secure their Bishop until near the end of the century, they gained tax relief within a few years. In 1725, Governor Talcott assured the Bishop of London, in reply to his inquiry, that the colony's one minister of the Church of England and his church "have the same protection as the rest of our Churches and are under no constraint to contribute to the support of any other minister."<sup>31</sup> The Governor, then, was willing to grant toleration to the established congregation at Stratford, but did not recognize the Anglican members scattered throughout the colony. The Anglicans were not content with such a restricted privilege, however, and continued to press for general exemption from support of the established church. Through the leadership of the Anglican vestry at Fairfield, Episcopalians were able to secure passage by the General Court in 1727 of an act exempting members of the Church of England from paying taxes to support Congregational Churches. Petty infringements of the act by town magistrates were countenanced by the courts, but fear of royal reprisal enabled Episcopalian protest to prevent a sustained, general infraction of their rights. The Episcopalians, for example, were able to force repeal of an act which allowed towns to divert public school funds, secured from the sale of public land for this purpose, to Congregational churches.<sup>32</sup>

The success of the Episcopalians encouraged the Quakers and Baptists to seek similar relief from ecclesiastical taxes and fines. In 1729, the court granted this to both if they secured, from a society of their own sect in the colony or near enough to its borders that they



could regularly attend its services, a certificate vouching for their support of its worship and regular attendance at its meetings.<sup>33</sup> In time, objections were raised as to the necessity of showing this certificate, yet, even this constituted relief. The legislation did not grant freedom of thought, for the age believed that everyone should support and attend some organized form of Christian service. The laws, at least, admitted the right to exemption, even though they were weak and provided no penalty against an assessor who failed "to omit to tax" those entitled to exemption. It was a change from the early attitude that tolerance was sinful.<sup>34</sup>

Certainly, numerically, the dissenting elements did not pose a serious threat to the established church and the departure from the militant intolerance of the earlier period was probably more indicative than causative of the general lessening of religious fervor within the colony. The churches had become more formalized under the Half-Way Covenant and the Saybrook Platform: the clergy for the most part contented themselves with preaching a cold and lifeless morality. The General Court had exerted its energies toward protecting the rights of the charter; the populace had devoted itself to the material aspects of living.<sup>35</sup> To the warning of the ministers that the worldly and the proud should fear, one minister felt the people seemed to reply: "We don't see but that we have not been of late, & are at present, as Prosperous as ever, there is Peace and Plenty, & the Country flourisheth."<sup>36</sup> Spiritual religion seemed about to disappear "when it pleased God . . . to begin an extraordinary work of conviction and conversion, such as had never been experienced in New England before."<sup>37</sup> The "Great Awakening" refers to the high tide of the period of unrest, 1740-41, when the "rain of righteousness" spread throughout the Connecticut Valley.

### *The Great Awakening*

An impetus for the awakening had come from Northampton, Massachusetts, where Solomon Stoddard preached an immensely practical religion, opened the church to all but the openly scandalous, and presided as "Pope of the Connecticut Valley." Although Northampton was legally related to Massachusetts, it was culturally and geographically

more closely united with Connecticut than with seaboard Boston. In 1726, Stoddard was joined in Northampton by his grandson, Jonathan Edwards, who was to become the intellectual leader of the Great Awakening.<sup>38</sup>

Edwards had been born in East Windsor, Connecticut, had prepared for the ministry at Yale, and had served as the pastor of the Scotch-Presbyterian Church of New York, before returning to the college as tutor. It was when illness interrupted his teaching career that he joined his grandfather in the western Massachusetts town. After the death of Stoddard, who had annually preached in Boston, Edwards was invited there to deliver the Thursday lecture in July, 1731. As Minister of Northampton, he would not necessarily have received this invitation, but Boston wanted to evaluate him as successor to Stoddard—as successor to a worthy antagonist of Boston's. Boston was aware of Edwards as a grandson of Solomon Stoddard and as a product of the turbulent frontier: he was born and bred in the valley and was a graduate of Yale—not of Harvard.<sup>39</sup>

Charles Chauncey, a Bostonian who had failed to find in Stoddard the genius which some attributed to him, prepared for the eventuality that Edwards might ably succeed him, so Perry Miller thinks, by arranging to have Samuel Whittelsey precede Edwards to Boston by three months. Whittelsey, distantly related to Chauncey by marriage, had earlier doubted the validity of Presbyterian ordination, but had recovered from this uncertainty, as it happened, after a trip to the southern colonies. Although it was whispered that his doubts had been met by a secret ordination from one of the two non-juring bishops then in America, he had recovered quickly enough to be returned to Connecticut's standing order and to become minister at Wallingford. His lecture, "The Woeful Condition of Impenitent Souls in their Separate State," was in the book stalls when Edwards arrived. The thesis, essentially "that the souls of wicked men go immediately at death without delay to hell,"<sup>40</sup> was not memorable. It was of greater importance that by publishing the work, forces in Boston announced that they were establishing alliances in Connecticut with those who would oppose Edwards if he persisted in Stoddardean variations and defiances. Both Chauncey and Whittelsey did become arch-opponents of Edwards.<sup>41</sup>



Yet, Edwards challenged established theologians not on the basis of ecclesiastical forms, as had Stoddard, but on theoretical and philosophical issues. According to Perry Miller, Edwards' "Notes" for a *summa* of all knowledge reveal two keys necessary to understand the full import of his words: Locke and Newton. Miller emphasizes, however, that Edwards was first of all a Puritan and all that he took from Locke and Newton was made to supplement his basic premise of an omnipotent and arbitrary God, who governed the world according to his own pleasure.<sup>42</sup> Edwards did not accept the convenient stratagem of the Half-Way Covenant or the popular interpretation that by entering into the form of a covenant with God, one bound God. To Edwards, conversion was "in everything, directly, immediately, and entirely dependent on God." Man is holy, if ever, "from mere and arbitrary grace . . . the creature is nothing and . . . God is all." Since God was under no obligation to redeem anyone, if any were saved it was by "God's arbitrary and sovereign good pleasure."<sup>43</sup> This seemed merely to restate conventional New England doctrine. The reiteration of this theme coupled with a failure to acknowledge any innovation which had gained acceptance presented a doctrinal challenge. There was no reference to the "Federal Theology" which admitted that redemption was a gift from God, but emphasized that the covenant into which one entered at conversion thereafter secured him. So much emphasis had been placed upon the means to grace that they had come to be thought of as the path to salvation. Such emphasis upon means had the advantage of appealing to the reason and will, motivating people in their conduct, and lending a certain feeling of security. Edwards held that while means are made use of, still God gives them, and alone makes them effectual. Edwards was protesting against the deviations from the pure religion of the founding fathers; he was preaching a new purification. New England knew that his reasoning could lead to the conclusion that means are not necessary.<sup>44</sup>

The ideas which were to provide the philosophical basis for the Great Awakening were further elaborated by Edwards in a publication in 1734, *A Divine and Supernatural Light Immediately Imparted to the Soul by the Spirit of God, Shown to be both a Scriptural and Rational Doctrine*. Puritans of the eighteenth century believed that certain con-

cepts were innate, implanted by God, and, therefore, imperative or directive without regard to experience. Yet, that spirit of New England which would not permit "cramming principles down another man's throat" was, in Edwards' judgment, to admit to no principles at all. Locke had taught him that man can acquire the materials of reason and knowledge solely from experience. He accepted that what the mind knows is no more than its ideas, received through the senses and derived from the world to which he ascribed reality. Edwards reasoned that if God did not impart ideas of obligations outside sense experiences, a way had to be found to make a lasting impression upon man's mind—to force sensations and the ideas annexed to them into man's consciousness. A Christian oratory, free from obtuse language, which would appeal to the senses through which ideas could be carried, was the method by which Edwards was to seek to restore the piety of New England.<sup>45</sup>

For a religious society which believed in the doctrine of justification by faith, Edwards' methods could succeed only if the fundamental concepts were attacked. Puritans believed that "if a man has faith," he "is free from all things and over all things."<sup>46</sup> Edwards reaffirmed the conventional doctrine that "A person is said to be justified, when he is approved of God as free from the guilt of sin and its deserved punishment; and as having that righteousness belonging to him that entitles to the reward of life."<sup>47</sup> However, Edwards did not accept the interpretative extensions which had developed from this and were generally accepted. In actual practice, the Covenant of Grace had come to mean to Puritans "not what God was pleased to grant, but what He was obliged to concede."<sup>48</sup> Faith had come to mean "something which a man might obtain, and which, once he had it, gave him a claim that God was bound to honor."<sup>49</sup> In a series of lectures delivered in 1734 and published in 1738, *On Justification by Faith Alone*, Edwards charged that the theory of faith was ambiguous and challenged the concept of faith as a direct cause of salvation.<sup>50</sup>

Edwards felt that there was an organic connection between Newton's laws of motion and Calvin's law of salvation by faith. Dogma had to be made to rest on the laws of nature, had to be reconciled with Newton's findings. Thus the causal relationship of faith and salvation



had to be restated. Faith itself must be caused by a higher law and so should be interpreted as a concomitant rather than as a cause of salvation.<sup>51</sup> Although faith was not an instrument of salvation, Edwards as-



*(Courtesy New Haven Chamber of Commerce)*

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sumed that it was inseparably connected with salvation because of a “natural suitableness.”<sup>52</sup> His reading of Newton led Edwards to expect that God in his orderliness could combine that which was meet, this combination, then, represented “the natural accord between such

qualifications and such circumstances”<sup>53</sup> but was not a sole or first cause. “Salvation,” Edwards held, “. . . can be only a manifestation of God’s regard, not to the pretensions of individuals, but to ‘the beauty of that order that there is in uniting those things that have a natural agreement, and congruity, and union the one with the other.’ ” Thus, “in the order of causation, a man is not a saint because he is good, but if he is a saint he is caused to be good.”<sup>54</sup> Edwards was, therefore, forcing a break with the interpretations which had been developed, interpretations which had become comfortable, interpretations which many would rise to defend when the revolution provoked by Edwards reached its height.<sup>55</sup>

Partially as a result of the sermons of 1734, a revival developed in Northampton which attracted the attention of the Protestant world. It is incorrect, however, to suggest that the awakening was precipitated by Edwards alone. In part it developed out of the ceremony called “owning the covenant” which became a periodic practice of ever increasing frequency after the adoption of the Half-Way Covenant.<sup>56</sup> This had been adopted when it became apparent that fewer and fewer of the children of the saints were personally encountering the experience of conversion and enabled them and, in turn, their children to be baptized upon “owning” the covenant. It had made them subject to church discipline, which, it had been hoped, would lead to their full conversion. When it did not, ministers, especially after they lost direct control of the government, pressed the people to own or reown the covenant. Gradually this became a communal gesture of fasting and reaffirmation of growing frequency.<sup>57</sup> This mode of public confession, foreign to the Puritan idea of private conversion, was utilized repeatedly by Edwards’ grandfather, Stoddard, who, also, offered the sacrament of communion as well as that of baptism to those owning the covenant and reaped five “harvests” of conversions before his death. Afterwards it was incumbent upon Edwards to continue to secure this yield. He achieved this in 1735 and gave to his revival “such literary expression that it became the exemplar of what New England had been obscurely tending toward for a hundred years.”<sup>58</sup>

In 1736, Edwards published his *Faithful Narrative of the Surprising Work of God in the Conversion of Many Hundreds of Souls*



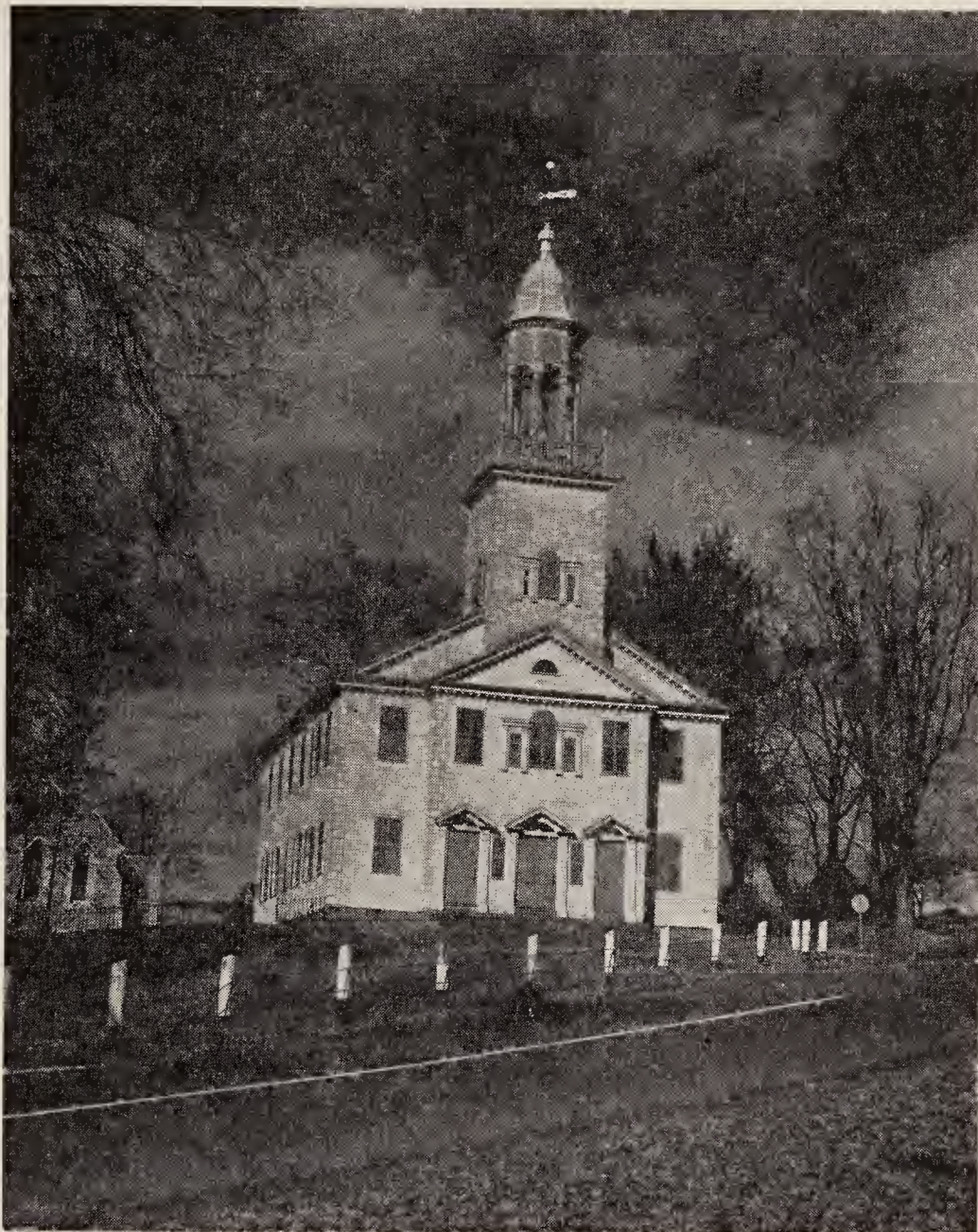
*in Northampton and the Neighboring Towns and Villages.* There were three editions and twenty printings of this by 1739, and it was still being used as a handbook of revivalism in Illinois and Wales a hundred years later.<sup>59</sup> Through the use of two case studies: one of a virgin, the other of a child of four, Edwards demonstrated that the “preaching of God’s absolute sovereignty and a conviction of the justice of God in their condemnation were essential links in most conversions.”<sup>60</sup> More important, Edwards felt that the Northampton experiment proved that “grace comes not as argumentation or as interposition, but as idea. Conversion is a perception, a form of apprehension, derived exactly as Locke said mankind gets all simple ideas, out of sensory experience.”<sup>61</sup> Edwards could report that “this Town never was so full of Love, nor so full of Joy, nor so full of distress as it has Lately been.”<sup>62</sup> Ministers of Connecticut went to Northampton to confer with Edwards, and, by the end of May, 1736, about twenty parishes had been affected.<sup>63</sup>

The Great Awakening reached new heights with the visit of George Whitefield in 1740. A convert of Wesley’s and excessively enthusiastic,<sup>64</sup> this powerfully persuasive man cleansed Boston and filled the chambers of Harvard with praise and prayer before journeying westward and joining Edwards at Northampton. He reported that he never had “a more gracious meeting” than the one with Edwards.<sup>65</sup> The two, however, did not agree on all points. Edwards questioned his guest on the emphasis he gave to impulses and on his readiness to pronounce persons unconverted without a careful examination. On the conversion of ministers, a question that was to be of great importance to the awakening in Connecticut, the two were apparently far apart. Whitefield believed that the people should forsake “unconverted ministers” while Edwards “never questioned that the Lord could use any instrument He chose.”<sup>66</sup>

Whitefield found additional followers in Connecticut and the Great Awakening spread further. Whitefield’s visit to Connecticut was begun with a trip to East Windsor on which Edwards accompanied him. There Whitefield was enthusiastically received by the congregation at Edwards’ father’s church. In Hartford, he preached to a “vast concourse of people.” Before completing his journey through Connecticut,



he had stopped at Wethersfield, Middletown, Wallingford, New Haven, Milford, Stratford, Fairfield, and Norwalk. At Wethersfield, he met Benjamin Pomeroy and Eleazar Wheelock, Davenport's brother-



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HARWINTON CHURCH  
(Destroyed by fire, 1950)

in-law. These, with Joseph Bellamy, became the most effective articulators of New Light theories. The eloquent Bellamy taught his listeners that every sin deserved the eternal curse and damnation of God; the gentlemanly Wheelock preached of the miserable end of the hypo-



crite in religion; and the brilliant Pomeroy showed the terrors of the Lord in awful array before the sinners. The doctrines they taught were those of the Reformation. These included a concept of regeneration by the supernatural influences of the divine spirit as an absolute necessity for one to enter the Kingdom of Heaven.<sup>67</sup> Other ardent supporters of the revival included David Ferris, Timothy Allen, and Jonathan Barber. All of these, except Whitefield, had known each other at Yale.<sup>68</sup>

As the valley was awakened, Edwards preached throughout the region, demonstrating the method which was to become the vehicle of the movement and explaining the outward or physical manifestations of the deliverance as inherent in the nature of man. At Enfield, in July, 1741, man was portrayed as being suspended over the pit of hell with only God to prevent him from dropping into the blazing inferno. In this most memorable of his sermons, "Sinners in the Hands of an Angry God," he played upon the terror of insecurity, and Puritanism, "which had been a fervent rationalism of the covenant" was committed "to a pure passion of the senses." The sight of a person writhing in conversion was "found by experience to have an excellent and durable effect." Through this method, it was believed, an idea was transferred through a sense medium to the mind of the perceiver.<sup>69</sup>

Opposition mounted to the use of terror as a means of redemption, however. Edwards defended the Awakening as the work of God at the commencement at New Haven in September, 1741, when he was honored by Yale for the last time. In his discourse, "The Distinguishing Marks of the Spirit of God," he challenged his detractors to join him in the discussion of the basic issue and outlined the identifying characteristics to certify the authenticity of a divine work. Abuses or extravagances had already begun to creep in, and, in the published version of this work, he warned his followers not to listen to impulses and to overcome their impressions. Experience had taught him, he said, that it was the height of folly for any to attempt to determine whether other souls were sincere and he admonished that saints should not forsake "method" in public sermons. His followers were quickly getting out of control. Edwards had provided an instrument which they did not fully understand.<sup>70</sup>

James Davenport, who was born in Stamford, Connecticut, in

1717, came to epitomize the excesses of the Great Awakening which aroused the protest of the established order. He was more responsible than anyone for the general discrediting of the revival. After accompanying Whitefield as an itinerant preacher for a while, this great-grandson of the founder of New Haven forsook his parish in Southold, and, without invitation, visited the parishes along the sound from Stonington to New Haven. He felt that he was a prophet and that divine guidance dictated that he follow evangelism. Whitefield and Ten-nent had been along a few months before and had stimulated revivalist spirits. A commercial depression and anxiety concerning the Catholic French in Canada, also, prepared people to be susceptible to Davenport's ardent exhortation. He left many converts—and divided Congregationalism. Davenport denounced those ministers whom he regarded as unconverted and advised people not to listen to them. "It was better," said Davenport, "to walk ten miles to hear a regenerate lay exhorter than to listen to an unconverted minister."<sup>71</sup> With this statement he first urged separation. He believed in the immediate intuitive recognition of one converted Christian by another and failed to recognize as such any minister who did not welcome him. Davenport demanded of the Reverend Jewett a full account of his religious experiences. When the minister refused, Davenport pronounced him unconverted, even though Jewett had been responsible for a revival in his own parish the year before. The usually tolerant Governor Talcott advised the residents of Saybrook to avoid Davenport; suggested that the ministers deny him their pulpits; and indicated that the safest thing to do might be to send him out of the colony.<sup>72</sup>

### *Protection of the Standing Order*

Opposition to the itinerants and to Davenport took more definite form when the general consociation of the churches, which had been established by the Saybrook Platform, met in Guilford, November, 1741. This meeting was held at the request of the General Assembly, which was acting on the appeal of a number of ministers and in conformity with the alarm felt by the Governor, Jonathan Law. It was agreed that it was permissible for someone other than the regular minister to preach if "a considerable number of the people in the



parish are desirous to hear another minister," provided "the same be orthodox, and sound in faith, and not notoriously faulty in censuring other persons. . . ." Final decision, however, was left with the consociation of the county with the provision that the neighboring ministers might advise contrary to the local association.<sup>73</sup> Perhaps, by this, the consociation might be judged mildly tolerant of the Awakening, but not so the Assembly which took a firm stand at its next session.

The Assembly enacted legislation on the basis of the ministers' recommendations and supplemented this by an amendment the following year which made the legislation even more stringent. Both ordained ministers and itinerant preachers came under the scrutiny of the Assembly. An itinerant, who, without an expressed invitation, preached in a parish, was to post a bond of one hundred pounds as security that he would not repeat the offense. A foreigner or stranger, for a like offense, was to be hurried out of the colony. Under penalty of forfeiting all benefits and all support as established by the laws of the colony, ordained ministers were forbidden to preach outside their own parish unless they were specifically invited. An association was forbidden to license a candidate to preach outside its own territory or to settle a dispute originating beyond the bounds of its own parish. To give force to the laws, it was provided that an offended minister was to file a complaint with the clerk of the society, and an absence of such complaints against any established minister was a prerequisite for his support through taxes as provided by the laws of the colony. Those against whom complaints were lodged were brought before the Assembly.<sup>74</sup>

Under this legislation, the justices of peace at Ripton denounced both Davenport and Pomeroy, who was accompanying him at the time. Since the town was full of Davenport supporters, the trial caused a riotous disturbance lasting through a night and ending only after the intervention of a company of militia. Davenport was judged "disturbed in the rational faculties of his mind," and was ordered out of the colony to Long Island. In 1743, he recanted his thesis, in which he differed from all other revival leaders, that God's revelation was continual and might occur in various forms. Charges against Pomeroy were dismissed for lack of evidence.<sup>75</sup>

To cure the ills of excessiveness, the Assembly had indulged in its own excesses. If its effort had been confined to restricting the itinerants, the action would have been supported by all but the extremists. There is little doubt that the Awakening had attracted the self-appointed, the yokel, and the charlatan or that there were orgies far too fantastic to be easily credible. If the itinerant did not consciously desire to divide Connecticut society, still he represented a divisive force and churches had been divided. In a society in which it was believed that religion should coincide with political unity, it would have been accepted that the itinerant should be brought within the legal structure.<sup>76</sup> Yet, the right of one minister to close his pulpit to one whom he had owned as a brother, to whom he had given the right hand of fellowship, and whom he could not accuse either of false doctrine or immoral conduct, raised a basic question.<sup>77</sup> Many regarded the laws as "contrary to spiritual commands, and to the opinion and practice of all reformers and of all Puritans."<sup>78</sup>

Edwards was quick to point out that those not "well affected" to the work of the revival would likely do the people more harm than good, yet he felt that much of the enthusiastic work of laymen and of the itinerants deserved to be recognized by the regular clergy.<sup>79</sup> Edwards consistently attacked the comfortable broadening of the Church through the Half-Way Covenant and the Stoddardean view of the Lord's Supper and always supported the revival as containing good elements leading to valid conversions which justified a larger number of full members. Because of the unpopularity of his views during the reaction against the revival, he felt forced to resign his Northampton pastorate in 1750. Edwards had opposed the Separatist movement, and eventually, after the "leaven of Edwards' teachings had brought a new and invigorated life into the Connecticut Churches," Greene felt that his influence contributed to a union of religious parties.<sup>80</sup>

### *Results of the Great Awakening*

However, an immediate effect of the official reprisal by the established order was the separation of members of congregations from the established church. The Saybrook Platform had permitted a Congregational interpretation of the document as well as the generally accepted



Presbyterian view. Now that this was impossible many found separation necessary. After the Great Awakening, when large numbers continued to defect from the tenets as outlined at Saybrook and threatened to undermine the ecclesiastical society, the Court began to enforce again a colonial law which gave it the exclusive power to approve the incorporation of a church. The Separatists, as they came to be known, next sought the protection of the Toleration Act, but were denied this. In fact, Separatists who refused to pay taxes for support of the established churches might suffer imprisonment and loss of property.<sup>81</sup> Defiantly, the Separatists established their own church and propagated their belief in justification by faith, a personal sense of conversion, and the need for regeneration. Breckway thinks that the Separatists grew stronger in the face of this persecution, with many joining their ranks solely because they were fighting for freedom of conscience. The colonial government became more lenient because the dissenters threatened to petition the King in 1769. Double taxation continued, however. Shortly before and during the Revolution, Separatists received a more generous measure of toleration as their democratic convictions became popular and honorable rather than scorned.<sup>82</sup> In all, thirty or forty Separatist churches were established. Some continued only a short time: others joined the Baptists. A dozen or more continued the battle until they had discredited the Half-Way Covenant, which they opposed violently, and eventually returned to the established church—but not before the schism had touched almost every aspect of Connecticut life.<sup>83</sup>

The divisions caused by the Great Awakening enabled the Church of England to gain as converts numerous Congregational ministers and laymen. In the half century between the "Dark Day at Yale," when Cutler and his companions defected, until the Revolution, the Church of England in Connecticut grew from one priest and one church to about 20 clergy and 46 organized parishes. It became the second largest denomination in the colony and by 1774 it included about one-thirteenth of the population. More parishes were established during the forties, during the height of the Awakening, than during any other decade of this half-century. In Reading and Newtown, Anglicans had come to outnumber dissenters from the Church of England by 1762. Letters from Anglican priests to the Society for the Propagation of the Gospel

attest to the phenomenal growth. In 1748, the first Anglican sermon was preached in Guilford and by the following March there were forty regular hearers. Between 1748 and 1751 the number of communicants



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in Stamford more than trebled. Anglican priests at the time felt that the increased membership stemmed from a reaction to the Awakening. There were few Anglican immigrants coming from England during the period and only in one case was the increase attributed to the general



religiosity of the time. It seemed that most sought stability, peace, and certainty offered by the Church of England in contrast to the quarrels that divided the protagonists and antagonists of the Awakening and even prevailed among the several enthusiastic leaders.<sup>84</sup>

Miller concludes that a social register of New England might well be derived from a roll of the anti-revivalists. He felt that one group drew its support from "the wealthier and the more aristocratic families," from "the rich and the polite," by reminding them that the awakening had "made strong attempts to destroy all property, to make all things common, wives as well as goods."<sup>85</sup> Gaustad, however, feels that the Awakening was great and general with no social or geographic boundaries: all classes, both in urban and rural areas, he contends, were touched. Gaustad distinguishes between this feature of the Great Awakening and the frontier revival of the thirties. He considers a myth the belief that the "elect and the élite were synonymous" in New England in the forties.<sup>86</sup>

The religious schism does seem reflected in the political alignment of Puritans in the colony. Magistrates and ministers sought to restrain the revival. Some office holders were removed from their jobs and others failed to be reelected because they were considered friendly to the "New Lights."<sup>87</sup> While the group drawing its support from the New Lights did not support indiscriminate separation from the Church, it was opposed to the restrictive legislation passed by the Assembly and thus opposed to those in power. However, Anglicans, too, opposed the power group and yet did not like the enthusiasm of the New Light adherents. The parallel between religious and political alignment, then, holds only for old and new light partisans among the Congregationalists. Conservative Congregationalists were in control in the early stages of the Awakening and the legislation enacted was to maintain society as they desired it. To assure conformity, the schools and seminaries were brought under the strict control of the colony, and ministers, in order to be paid from the taxes of the colony, were to be graduates of Yale, Harvard, or some recognized Protestant college.<sup>88</sup>

Yale eagerly conformed to the prevailing spirit of the General Assembly, which had given instructions that the college take special care that its scholars were not affected by the teaching of the New Lights. In

the same year, the college had expelled one David Brainard for criticizing the prayers of the college preacher as lacking in fervor. The college further held that "those who would not be orderly and submissive, should not be allowed the privileges of the college." When two students did not explain to the satisfaction of college authorities their attending a New Light Church with their parents while home on vacation, they were promptly expelled. Perhaps, because of the furor which the incident caused throughout the colony, but more probably because the religious antagonism was lessening, Yale made only one more attempt to discipline its students. The college sought to suppress a reprint of Locke's essay upon "Toleration," which the senior class had printed at its own expense. An attempt to force the students to confess was quickly dropped when one threatened to appeal to the King in Council if his diploma were not granted. It was.<sup>89</sup>

Official disapproval of the New Lights strengthened the position of the orthodox ministry, and many who had gone along with the awakening in the beginning now turned on it with all their fury. The Reverend Solomon Williams of Lebanon, a cousin of Jonathan Edwards, argued that the variety of God's way to man did not include "a slavish fear and dread of Him, that it should drive to despair." The orthodox were properly grateful for his extracting a retraction from James Davenport. Many had looked with favor on the movement, but to have persons "singing Hymns or Psalms in Ferry Boats and through the Streets" was too much. Orthodox ministers were called upon to admit their mistakes and look with humility upon the Great Awakening.<sup>90</sup>

Sentiment against the New Lights began to lessen. Although a move to repeal the laws designed to debar persons from enjoying the liberty "granted by God and tolerated by the King" failed, public opinion was shifting. News of persecution and reports from Connecticut Anglicans brought remonstrances from England that the imposition of civil penalties was not the proper way to remedy religious controversies. Although the laws regulating the New Lighters were never formally repealed they were not included in the laws of the colony when they were revised in 1750. The Great Awakening passed, but the religious controversy continued into the next century. The Separatists



were ultimately granted toleration on the eve of the American Revolution and the Saybrook Platform was repealed shortly thereafter. The effect of the Great Awakening extended beyond such religious results as the increased conversions, the sharpening of church doctrine, and the nudge toward religious toleration. It became interwoven in the economic and social disputes which were to divide Connecticut society. A half century of conflict was to obscure these underlying differences. Yet, they emerged in the next century as factors in a formal attempt to reorder Connecticut society.

## NOTES—CHAPTER X

- <sup>1</sup> Miller, *New England Mind*, pp. 296-97; M. Louise Greene, *The Development of Religious Liberty in Connecticut* (Boston, 1905) pp. 122-28; Edwin Scott Gaustad, *The Great Awakening in New England* (New York, c. 1957) p. 13 and *passim*.
- <sup>2</sup> Greene, *Development of Religious Liberty*, p. 128; and see above, ch. VII.
- <sup>3</sup> Miller, *New England Mind*, p. 233.
- <sup>4</sup> *Ibid.*, pp. 226-35; Perry Miller, *Jonathan Edwards* (New York, c. 1949), (The American Men of Letters' Series), pp. 9-10.
- <sup>5</sup> Miller, *New England Mind*, pp. 232-35.
- <sup>6</sup> Miller, *Edwards*, p. 11.
- <sup>7</sup> *Ibid.*; Greene, *Development of Religious Liberty*, pp. 133-35.
- <sup>8</sup> *Ibid.*, pp. 136-37; *Conn. Col. Rec.*, V, pp. 51-52.
- <sup>9</sup> Greene, *Development of Religious Liberty*, pp. 125-26; Miller, *New England Mind*, pp. 266-67.
- <sup>10</sup> *Ibid.*, p. 218.
- <sup>11</sup> *Ibid.*
- <sup>12</sup> Greene, *Development of Religious Liberty*, pp. 142-45.
- <sup>13</sup> *Ibid.*, pp. 150-52.
- <sup>14</sup> *Ibid.*, pp. 160-64.
- <sup>15</sup> *Ibid.*, pp. 158-59.
- <sup>16</sup> *Ibid.*, pp. 165-70.
- <sup>17</sup> *Ibid.*, pp. 171-76; William M. Hogue, "The Church of England in the Northern Colonies and the Great Awakening," (unpublished doctoral thesis, Catholic University of America, September, 1954), pp. 63-65.
- <sup>18</sup> *Ibid.*, p. 29; Greene, *Development of Religious Liberty*, pp. 63-65, 178-80.
- <sup>19</sup> *Ibid.*, pp. 174-78.
- <sup>20</sup> *Conn. Col. Rec.*, V, p. 50.
- <sup>21</sup> Greene, *Religious Development in America*, pp. 187-90.
- <sup>22</sup> *Ibid.*, p. 204.
- <sup>23</sup> *Ibid.*, pp. 204-206; *Conn. Col. Rec.*, VI, pp. 248-49.
- <sup>24</sup> William M. Hogue, "Church of England . . . and the Great Awakening," pp. 54-62. Although English Bishops declared baptism to be valid no matter by whom administered (the legitimacy of the Hanoverian succession depended on this interpretation), even Congregational ministers who decided to conform wanted to be rebaptized. See Hogue, pp. 61-62.

- <sup>25</sup> *Ibid.*, pp. 30, 32; Greene, *Development of Religious Liberty*, pp. 177-78.
- <sup>26</sup> *Ibid.*, pp. 192-93.
- <sup>27</sup> Hogue, "Church of England . . . and the Great Awakening," pp. 30, 58. Especially after half-membership, which had been a means "to straddle the line between exclusive sect and inclusive church," as Hogue pointed out, was lost in the Great Awakening, protest against such variations from the original pure religion, this denial became especially important. Those who could not enact an enthusiastic conversion or who were repelled by enthusiasm, turned to the sacramental peace of the Church of England. See Hogue, pp. 171-72, 200-11, 245-46, 255.
- <sup>28</sup> Greene, *Development of Religious Liberty*, pp. 193-94.
- <sup>29</sup> Origen Storrs Seymour, "The Beginnings of the Episcopal Church in Connecticut," Conn. Ter. Comm. Publ., pp. 4, 5.
- <sup>30</sup> Hogue, "Church of England . . . and the Great Awakening," pp. 30-34.
- <sup>31</sup> *Collections*, Conn. Hist. Soc., IV, pp. 53-55; Greene, *Development of Religious Liberty*, pp. 198-99.
- <sup>32</sup> *Ibid.*, pp. 200-03.
- <sup>33</sup> *Ibid.*, pp. 216-17; and *Conn. Col. Rec.*, VII, p. 257.
- <sup>34</sup> See above chs. VI and VII; Greene, *Development of Religious Liberty*, pp. 217-19.
- <sup>35</sup> *Ibid.*, pp. 223-25; Mary Hewitt Mitchell, "The Great Awakening and Other Revivals in the Religious Life of Connecticut," Conn. Ter. Comm. Pam., pp. 10-11.
- <sup>36</sup> Miller, *New England Mind*, pp. 484-85.
- <sup>37</sup> Trumbull, *History of Connecticut*, II, p. 105.
- <sup>38</sup> Clarence H. Faust and Thomas H. Johnson, (New York, 1935), p. cxvii.
- <sup>39</sup> Miller, *Edwards*, pp. 14-15.
- <sup>40</sup> *Ibid.*, pp. 24-27.
- <sup>41</sup> *Ibid.*, pp. 24-29; Hogue, "Church of England . . . and the Great Awakening," p. 60.
- <sup>42</sup> Miller, *Edwards*, pp. 49, 54, 62, 72.
- <sup>43</sup> *Ibid.*, p. 29.
- <sup>44</sup> *Ibid.*, pp. 29-31; Herbert William Breckway, "The Significance of James Davenport to the Great Awakening" (unpublished doctoral thesis, Columbia University, 1951), pp. 2, 6.
- <sup>45</sup> Miller, *Edwards*, pp. 43-68.
- <sup>46</sup> *Ibid.*, p. 73.
- <sup>47</sup> *Ibid.*, pp. 75-76.
- <sup>48</sup> *Ibid.*, p. 77.
- <sup>49</sup> *Ibid.*
- <sup>50</sup> *Ibid.*
- <sup>51</sup> *Ibid.*, pp. 74, 75, 78.
- <sup>52</sup> *Ibid.*, p. 81.
- <sup>53</sup> *Ibid.*, p. 96.
- <sup>54</sup> *Ibid.*, pp. 96-97.
- <sup>55</sup> *Ibid.*, pp. 71-99.
- <sup>56</sup> See above ch. VII.
- <sup>57</sup> Miller, *Edwards*, pp. 133-35.
- <sup>58</sup> *Ibid.*, p. 136.
- <sup>59</sup> *Ibid.*, p. 137.
- <sup>60</sup> *Ibid.*, p. 139.
- <sup>61</sup> *Ibid.*
- <sup>62</sup> *Ibid.*, p. 140.



- <sup>63</sup> Mitchell, *Great Awakening*, p. 9.  
<sup>64</sup> Hogue, "Church of England . . . and the Great Awakening," pp. 111-43.  
<sup>65</sup> Miller, *Edwards*, p. 142.  
<sup>66</sup> *Ibid.*, pp. 141-44.  
<sup>67</sup> *Ibid.*, pp. 144-55; Mitchell, *Great Awakening*, pp. 10-12.  
<sup>68</sup> Trumbull, *History of Connecticut*, II, pp. 114-26.  
<sup>69</sup> Breckway, "Significance of . . . Davenport," pp. 38-46.  
<sup>70</sup> *Ibid.*, pp. 35, 38, 50-60, 79-80; Miller, *Edwards*, pp. 145-172.  
<sup>71</sup> Breckway, "Significance of . . . Davenport," p. 86.  
<sup>72</sup> *Ibid.*, and ff.  
<sup>73</sup> *Conn. Col. Rec.*, VIII, pp. 438, 454-55; Greene, *Development of Religious Liberty*, pp. 240-42; Breckway, "Significance of . . . Davenport," p. 91.  
<sup>74</sup> *Conn. Col. Rec.*, VIII, pp. 454-57.  
<sup>75</sup> *Ibid.*, pp. 35-37, 92-93, 482-84.  
<sup>76</sup> Miller, *Edwards*, p. 172.  
<sup>77</sup> Trumbull, *History of Connecticut*, II, pp. 130-31.  
<sup>78</sup> Greene, *Development of Religious Liberty*, pp. 244-45.  
<sup>79</sup> *Ibid.*, p. 247.  
<sup>80</sup> *Ibid.*, pp. 245-47.  
<sup>81</sup> Breckway, "Significance of . . . Davenport," p. 74.  
<sup>82</sup> *Ibid.*, p. 75.  
<sup>83</sup> Greene, *Development of Religious Liberty*, pp. 233-37.  
<sup>84</sup> Breckway, "Significance of . . . Davenport," pp. 201-11.  
<sup>85</sup> Miller, *Edwards*, p. 175.  
<sup>86</sup> Gaustad, *Great Awakening*, pp. 43-44.  
<sup>87</sup> Oscar Zeichner, *Connecticut's Years of Controversy* (Williamsburg, Va., c. 1949) p. 25.  
<sup>88</sup> *Conn. Col. Rec.*, VIII, pp. 500-504.  
<sup>89</sup> Greene, *Development of Religious Liberty*, pp. 255-61.  
<sup>90</sup> Miller, *Edwards*, pp. 172-73.

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## Chapter XI

### Connecticut in French and English Wars

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NOT ONLY was the structure of Connecticut society threatened by divisive elements within the colony, but the colony itself was endangered by the resumption by European powers of the contest for empire. Although in King George's War and in the French and Indian War Connecticut tended to follow her traditional course of action, a greater degree of cooperation was extended to the Crown than ever before, especially after the war was evidenced in increased commercial activity. The difficulty of ending dependence upon commercial centers outside the state and of increasing agricultural production to provide surpluses for export was emphasized by the commercial experiences of these years. To protect its economic well-being, the colony, with practiced skill, followed an independent course of action in fiscal affairs.

#### *Military Actions*

The treaty of Utrecht, signed in 1713, had failed to solve the basic problems of the English and the French occupation of North America. When cumulative bitterness found an arena for open combat upon the outbreak of the War of Jenkins' Ear, England and Spain were cast as principals and France filled a supporting role as Spain's ally. In North America, both France and England were trying to achieve the final and complete expulsion of the other from the area.<sup>1</sup>

The land campaign against Jamaica was quickly concluded in 1742, but Connecticut troops had no sooner been ordered home than news was received that France had entered the contest, which now became King George's War. In the absence of an immediate threat, only



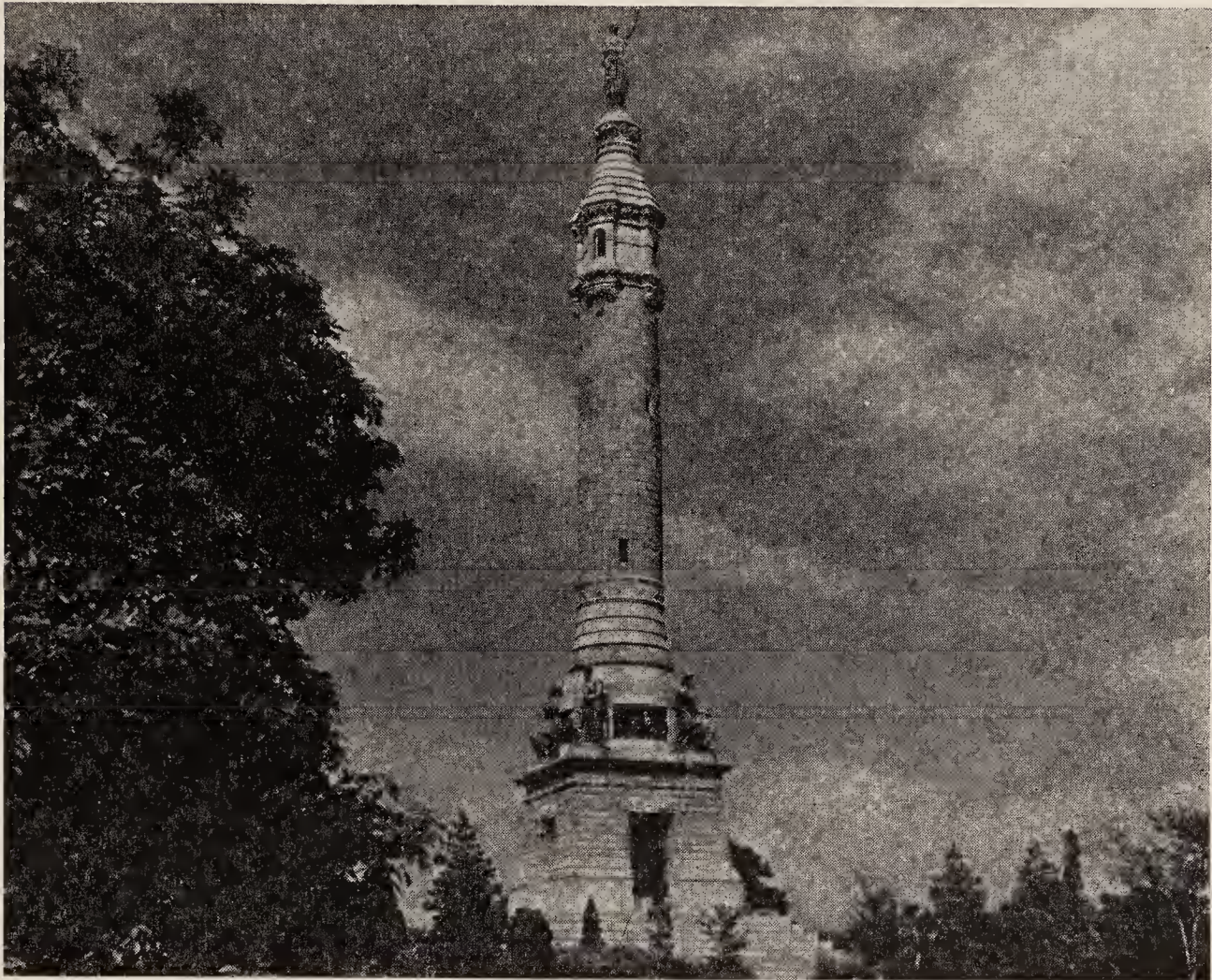
routine defense of the frontier was provided until the summer of 1744,<sup>2</sup> when alarm swept through the colonies with the news of the capture by the French of Canso, a small, but commercially important, post about fifty miles off the coast of Nova Scotia.<sup>3</sup> The counter attack was directed toward Louisbourg, the base of the French attack. Connecticut troops, in cooperation with those from New Hampshire, Massachusetts, and England, made the first landing on Cape Breton Island on April 20, 1745. The attack continued for two months until the threat of a combined land and sea attack persuaded the French commander to propose terms which were concluded on June 28.<sup>4</sup>

In the occupation of Cape Breton, Connecticut departed from an established principle and permitted her forces to be used for garrison duty. Even as late as the expedition to Jamaica, Connecticut had abided by her practice of demanding that her troops be returned home as soon as the fighting was over. Similar provisions had been included in the orders for the Cape Breton expedition. Yet, Connecticut now pledged 350 men to the occupation. The evidence as to motivation is by no means conclusive. Wolcott forwarded to Law the information that three members of the Upper House, who were from Hartford, strongly supported sending troops to hold the territory. Louisbourg, in the hands of the French, was a thorn in the side of New England fishermen. As a part of the propaganda to enlist the support of the other colonies, Massachusetts had painted glowing reports of the commercial benefits to be derived from possession of Louisbourg. Men such as Jonathan Trumbull were in close contact with Boston merchants and, perhaps, did not completely divorce the possibilities of private gain from public welfare. Commerce was playing an increasingly important role in the economic life of the colony, and it is possible that the representatives of the trading centers exerted an influence out of proportion to the numbers they represented.<sup>5</sup>

The success of the Cape Breton campaign reawakened the ambition to conquer Canada. The initial enthusiasm dwindled when the expected support from England failed to materialize. In October, 1745, the men collected for the expedition were furloughed, and eventually the supplies collected for the force were ordered to be sold. The indomitable Governor Shirley of Massachusetts continued to speak of His



Majesty's interests and pushed for an expedition against Crown Point, refusing to release the Connecticut men who had enlisted in his service for the Canadian campaign. Force was used to rescue the Connecticut men, and its use was condoned by the magistrates of the colony.<sup>6</sup> Con-



(Courtesy New Haven Chamber of Commerce)

NEW HAVEN—SOLDIERS AND SAILORS MONUMENT ATOP EAST ROCK,  
HONORING THE MEN OF FOUR WARS

necticut's indisposition to cooperate increased in proportion to England's disinclination to reimburse the colony for the full amount of the expenses of the Cape Breton campaign. Thereafter, jealousies and self-interest increased to widen the gulf between English objective and colonial support. In the American colonies, the last year of the war resolved itself into typical frontier warfare. An indecisive peace was shaped in Europe by the treaty of Aix-la-Chapelle which reestablished the *status quo ante bellum*. Louisbourg, "the people's darling con-



quest," was returned to France. The colonials had been convinced that its capture was essential. After its return, they were more acutely aware of their peril. By the capture, however, the colonies had measured something of their military potential.<sup>7</sup>

The tenuous nature of the peace was revealed when rumors of a French uprising in the western part of New England were confirmed in Connecticut in the Spring of 1754. Since it appeared that the Northern colonies would be drawn into the conflict, England requested that they send representatives to Albany, June 14, 1754.<sup>8</sup> The Connecticut Assembly hesitated while it sparred for position with England and with the other colonies. Years of success in eluding the management of the home government and in bickering with its neighbors had practiced Connecticut in tactics to limit commitments. Its commissioners were given no plenary powers: any agreement on their part was to be strictly provisional until approved by the assembly. The Commissioners were instructed to oppose any payment to the Iroquois, to agree to assume no portion of expense except for the immediate action, and to take care that nothing could be interpreted as establishing a precedent.<sup>9</sup>

Connecticut, historically identified with support of an independent course of action, opposed the establishment of a formal union. As proposed, the union, if approved by Parliament, would have autonomous powers in matters of war and peace and have power to administer land purchased from the Indians. Connecticut voiced a concern about the potential dangers of the union, and declared the plan to be subversive to the just rights of government. When the colony objected to a proposal that the council of the union be empowered to levy and collect taxes as being contrary to the rights of Englishmen, there was articulated a principle which was to resound in a few years with greater force. The Connecticut Assembly formally resolved in October of 1754 that Connecticut would not make application to the Parliament for an act "to form any such union as proposed."<sup>10</sup>

This opposition to a formal union did not mean that Connecticut would not cooperate in a war against the French. In fact, Connecticut was enthusiastic about this conflict and remained the most dependable of the colonies throughout the new French and Indian War. The same session of the General Assembly which rejected the Albany plan of union

revived the War Council and authorized it to furnish the necessary men and supplies for military action. Although England considered this a tardy reply to her request of the previous July, the action countered a rebuke from Whitehall, dispatched before the colonial action, but received after it had been taken. The English attitude stemmed from a conviction that the war was of the colonies' own making.<sup>11</sup>

Early in the new hostilities, England decided to solve by force the dilemma of the Acadians in Nova Scotia who had refused to take an oath of allegiance to Britain and had actively fought against her even though Britain had formally owned the territory since 1715. In the summer of 1755, 300 regulars, supported by 2,000 New England troops, forced Acadians, supposedly British subjects, to swear allegiance to the British or to face expulsion from their land. Those who refused allegiance were evacuated in October and November. It was believed that New England offered the greatest possibility for assimilation. More than four hundred arrived in New London in January 1756 and another contingent of 200 or more arrived in May. The General Assembly authorized the Governor to disperse the exiles among the Connecticut settlements. Each of fifty towns was to accept a proportionate number. Norwich and New Haven received the greatest number, nineteen. Care was to be taken to keep families intact, although many had already been separated before leaving their homeland. The selectmen were to care for the Acadians as if they were inhabitants of the town in accordance with the laws of the colony. The Acadians who traveled outside an assigned town without permission ran the risk of confinement and of cancellation of privileges. It is apparent that the towns regarded the duty as burdensome. Guilford, to lessen the expense to the town, "put out to service" as many Acadians as possible. When additional numbers were sent to Woodbury, the town petitioned the Assembly for relief.<sup>12</sup>

Some of the Acadians, it appears, became permanent residents of Connecticut. A petition in 1763, however, was signed by practically all of them, and appealed, unsuccessfully, for return to France. Gradually, small numbers made their way to French provinces, and, in 1767, 240, with their priest, left for Canada. Whereas a French author is cited as saying that the most unhappy of all the exiles were those in New England, Gipson is of the opinion that Connecticut, which "came to an



early determination to cooperate fully . . . hit upon a plan that was, all in all, just to all parties—including the Acadians themselves—and carried it out with a good deal of consistency and firmness.”<sup>13</sup> This problem of absorption, it must be remembered, was faced during the years of active participation in military actions against France.

Knowledge from Lake George in October, 1755, indicated that the anticipated Crown Point expedition, for which Connecticut had raised troops, would be postponed until the following spring. The expedition, along with a drive to Niagara, had been intended to relieve the pressure on the western settlements of Virginia and Pennsylvania. The plan was militarily sound, but its execution was hindered almost from the beginning by jealousies, late arrival of troops, difficulties of transportation, and effective French intelligence.<sup>14</sup> When the campaign was undertaken the following summer, it was thrown into utter confusion by frequent changes in command. When an attempt was made to incorporate the colonial forces into the regular British army there were further difficulties. A plan which would result in the displacement of provisional officers was bound to breed dissatisfaction. The Connecticut Assembly had commissioned John Winslow as a Major General and had placed him in charge of the troops raised by the colony. In effect, they were bound to obey only the orders of Winslow and were committed only to the Crown Point campaign. Winslow started to move his forces into position, and on July 28, arrived at Lake George. Loudoun, however, ordered the troops to delay and to assume a defensive position. The French under the brilliant direction of Montcalm had occupied Oswego. Although Loudoun was of the opinion that Winslow's forces constituted the only remaining obstacle to the French occupation of the whole country, it was decided to disband them since the troops continued to hold to the terms of their enlistment and would not come under the command of the regular forces.<sup>15</sup>

When preparations were being made for the next campaign, Loudoun did little to assuage the grievances which had characterized the campaign of 1756. He was disdainful of colonial efforts; told the colonies bluntly that the previous failure was to a great extent their responsibility; and refused, under the guise of necessary military secrecy, to divulge the military plans. The colonial assemblies tended to view their

relationship with England as an opportunity to improve their economic status by such devices as the padding of their accounts. Although they looked to England to finance the war, the colonies, in planning campaigns, continued their particularistic ideas by seeking to restrict the areas in which their forces would operate, demanding that the provincial forces retain their identity. Meanwhile, the confidence and the aggressiveness of the French increased as indicated by their burning of the exterior establishments of Fort George in January, 1757. Loudoun was convinced that the only way to defeat the French was by naval operation in the North Atlantic. The campaign on the frontier was placed in the hands of the irresolute Brigadier General Webb, who arrived rather tardily at Fort Edward in the latter part of June, remained abysmally unaware of the French plans, and proceeded leisurely about his business. Finally, after inspecting Fort William Henry, he planned to abandon his position. It was not until Israel Putnam discovered, while on a reconnoitering trip, a concentration of the enemy only sixteen miles away, that Webb became alarmed and hastily sent appeals to the Governors of the northern colonies for reinforcements. It was too late. The French attacked the fort on August 3, and, on the 9th, the English capitulated. Loudoun, who in mid-August was on his way to New York "to drive the Enemy back," had appealed to Governor Fitch for further aid. He soon realized the hopelessness of aggressive action, however, and notified Governor Fitch on the seventh of September that the Connecticut troops should be dismissed as early as was consistent with the safety of the provinces. Loudoun requested that the colony provide 280 men to serve as rangers during the winter.<sup>16</sup>

The military achievements of these rangers is difficult to evaluate. They had been formed first by General Shirley in 1755, and had performed such valuable service in reconnaissance, raiding, and bringing in prisoners that Loudoun had determined to increase their number for winter scouting. Yet, they were hard-drinking, undisciplined, and insubordinate. They scouted only when they felt like it, and, too frequently, turned their rifles on game only to reveal themselves to the enemy. Their conduct became so bad that the force seemed about to disintegrate, and their leader, Robert Rogers, who had been in ill health, had to return to restore their reputation. Their unreliability led



to the establishment of corps of rangers with the status and responsibilities of regular troops.<sup>17</sup>

Loudoun, by the end of 1757, was pleased with the contribution of Connecticut to the war. Although the independence of the assembly was always a mystery to him, he had confidence in Governor Fitch. The colony not only had met the levies cheerfully, but at times had exceeded the request and had assisted other colonies in meeting their responsibilities. Loudoun had observed at first hand the capabilities of Connecticut officers and the willingness of the colony to go beyond the strict limits of its responsibility. When New Hampshire refused to protect Settlement Number Four on the upper Connecticut River, Connecticut had raised 500 troops and had sent them, under the command of Colonel Nathan Whiting, to protect a frontier that was within the bounds of New Hampshire. The colony had responded unselfishly to calls for assistance at Fort William Henry and Major General Phineas Lyman had performed meritoriously in upper New York.<sup>18</sup> Then, too, Connecticut extended a welcome to the troops whom Loudon wished quartered in the colony for the winter. This contrasted to certain of the other colonies. Massachusetts, for example, acquiesced only under the threat of a military order.<sup>19</sup>

Although the British forces made substantial overall gains in 1758, disappointment came in the Lake George area in which Connecticut was most directly concerned, and this despite the fact that Connecticut made her "greatest effort yet" against the enemy. When Loudoun was replaced by Abercrombie as Commander of the American Army, the home government assumed more specific direction of the war. Louisbourg was given preference over the Canadian invasion in the allocation of British regulars, an attempt was made to settle the difficulties of regular and provincial troops, and England officially assumed a direct responsibility for financing the campaign. At the same time, the French in Canada were suffering from a shortage of food and from the difficulties which had developed between the Governor General and Montcalm. When Abercrombie received news of his appointment, he immediately called for greater efforts on the part of the colonies. Connecticut agreed to raise 5,000 men.<sup>20</sup> By May, however, the quota had not been filled, and the colony resorted to impressment. On the eve of conflict, only 1,500 of the

required 5,000 were in the field. One thousand had been sent up the Mohawk to Schenectady and 500 to Lake George on the eve of the battle of Ticonderoga.<sup>21</sup> On the morning of the sixth of July, the British forces made a successful landing on the west bank of Lake George and moved in the direction of the fort. The provincials, led by Lord Howe, unexpectedly fell upon and routed a French detachment. Abercrombie began the frontal attack on the fort on July 8. Although outnumbered almost five to one, the French, after more than six hours of fighting, forced the English to retreat. The battle concluded a campaign which had involved "a greater number of errors in judgment on the part of those in positions of responsibility" than any launched on American soil.<sup>22</sup> In the opinion of the historian who has studied the battle most closely, Generals Lyman and Putnam had performed meritorious service, in contrast to the generally bad showing of the provincials.<sup>23</sup> Affairs were going better elsewhere. A successful expedition against Fort Frontenac, launched immediately after the fiasco at Ticonderoga, had cost the French their stronghold on the lower St. Lawrence. Louisbourg had fallen to the British, and far away at the forks of the Ohio, later in the year, the French under pressure from the British had destroyed Fort Duquesne.<sup>24</sup>

When Abercrombie's troops went into quarters in the Fall of 1758, he appealed to Connecticut to quarter a number of the British regulars. Unlike other colonies where persistent grumblings were heard that such a request encroached upon colonial liberties, Connecticut again extended a welcome to the British troops. For billeting and quartering the troops, Connecticut residents were permitted by the assembly to charge six pence per diem rather than the four allowed by the paymaster. The two pence difference was to be paid out of the treasury of the colony on account of the crown, which, of course, would be repaid in sterling. There is no certain measure of the degree to which Connecticut's economy benefited from the presence of these troops, but it does seem that they enlivened the winter—to the extent that the Commander-in-Chief issued orders that soldiers were to carry their arms only when they were on duty.<sup>25</sup>

Although 1759 was a critical year for the war in the West, Connecticut assumed her responsibilities cautiously. The assembly authorized



only 3,600 of the 5,000 troops requested, with an additional 400 to be raised by volunteers. When Amherst threatened that failure to provide the desired quotas might prejudice the possibilities of generous reimbursement by the Crown, the colony recognized "the very great importance of exerting ourselves in the present critical and decisive moment for the security of our country, and from a deep sense of our duty."<sup>26</sup> It was agreed to raise the extra 1,000 troops. The enlistments were slow, however, and by the last of May, Fitch could but hope that they would be ready soon. Almost certainly the whole force had not reached the field when Niagara fell early in July cutting the French off from the Ohio. The French evacuated Fort Ticonderoga on July 23, and, a week later, withdrew from Crown Point. Although a report that all was going well with Wolfe was a little premature, Quebec fell September 12th. The end was near.<sup>27</sup>

The next year was to bring the complete capitulation of Canada, but the war spirit was already beginning to wane, and, thereafter, it was with great difficulty that Connecticut kept the requisite number of men in the field. Much to the consternation of Amherst, in 1760 the troops were later than ever in reaching Albany, and the number was 2,000 short of the authorized 5,000.<sup>28</sup> When fighting ceased in September 1760, large numbers of British regulars were redeployed in other theaters of war, and it was hoped that the provincial forces would assume a major role in the duties of occupation. Connecticut refused Amherst's suggestion that men be enlisted for an indefinite term. Connecticut committed herself to a quota of 2,300, which, it should be pointed out, was comparatively larger than that of the other colonies, as it had been throughout the war. The ranks were difficult to fill and morale had sunk to the point that the competent Whiting wrote bitterly to Fitch, complaining of Amherst and the disagreeable service.<sup>29</sup> The war was over, in Connecticut's opinion, when Quebec fell. After the capitulation of Canada, there remained in the public mind no further reason for military service.<sup>30</sup>

### *The War Economy—Commerce*

A new era of colonial commerce is said to have begun with the capture of Louisbourg.<sup>31</sup> Connecticut failed to get any contract for the



supply of British troops, but her economy was closely bound to that of Massachusetts and indirectly was stimulated by the war purchasing. Provisions were purchased locally in colonial currency, but were sold for sterling and as this was put into circulation the colonies generally bene-



*(Courtesy Mills Coll., Conn. State Lib.)*

BETHANY—TAN BARK MILL OF REVOLUTIONARY WAR PERIOD  
AND LATER. POSED IN 1935

fited.<sup>32</sup> The confidence and feeling of independence which were derived from the success of the expedition against the French post seemed to be reflected in new commercial ventures.<sup>33</sup> Regardless of treaty arrangements, colonial legislation, or acts of Parliament, New England merchants were ready to supply the demands of the French colonies, and, when Boston trade was under strict English control, Connecticut prospered.<sup>34</sup>

The export trade of Connecticut was small when compared to that of Massachusetts, but when measured against its own 17th century vol-



ume, notable progress had been made. It is almost impossible to measure the extent of the trade accurately, inasmuch as Connecticut governors consistently minimized it in official reports, lest the colony suffer from too much British interest. The commerce was dominated by the merchants of the coastal and river towns. New London was of greatest importance but still remained a small town with limited trade. The ports of Middletown and Hartford served as connecting links between the interior and the Atlantic. Direct trade with Europe remained inconsequential and the colony still depended almost entirely upon the ports of Boston and New York for European goods.<sup>35</sup>

This dependence on other American markets determined ultimately the fate of Connecticut's foreign commerce, and the end was foreshadowed by the 18th century effects. Connecticut residents, who engaged in intercolonial trade, continually found themselves indebted to the importers in other colonies. Despite determined efforts in the period after the Louisbourg campaign, Connecticut was not successful in attracting a flow of money into the colony for any sustained period.<sup>36</sup> By virtue of their commercial advantage, neighboring colonies acquired a surplus capital from which accrued multifarious financial advantages over Connecticut. This is well illustrated by Connecticut's incipient steel manufacture. This was dependent upon the procurement of supplementary iron from New York, yet Aaron Eliot, the eldest son of Jared Eliot, and his group of undertakers, lacked sufficient capital for direct purchases. New York iron, therefore, was secured under a contract requiring the delivery of finished steel to New York for payment. When applied against the indebtedness, the steel was valued at £56 per ton. The steel was then marketed in Connecticut by New Yorkers and sold at £75 to £80 per ton. A loan of £500 to the steel manufacturers was made by the assembly in an attempt to eliminate this dependence upon New York.<sup>37</sup>

Connecticut, as a general effort to break this dependence and to encourage direct trade with Ireland and Great Britain, introduced a system of duties and premiums. On two previous occasions since the century began, in 1717 and 1735, the colony had placed duties on imports from neighboring colonies. It is Clark's opinion that the retention of these import duties would have benefited colonial manufacturing.<sup>38</sup>

In 1747, when Connecticut continued to suffer from a lack of direct trade, a duty of five percent was placed on all goods valued at more than £15 which were imported from a neighboring colony by a Connecticut resident. Products of potential value to the West Indies trade were exempted. Also to protect the barrel stave industry, which was important to the island trade, an export duty was placed on the lumber that was sent to the neighboring colonies. At the same time, any Connecticut resident who imported directly from Ireland or Great Britain goods to be used within the colony was to be granted a premium of £5 on the £100. Some took advantage of this offer, and it appeared to give an impetus to direct trade that was advantageous to the colony. Both acts were repealed after a year, however, perhaps because of difficulties of administration or because of general economic conditions.<sup>39</sup>

The period of King George's War was one of apparent prosperity for Connecticut, and seemed particularly so after the duty on imports was imposed. It was felt that "legitimate profits were being made and much of the profit was staying at home." Money was more plentiful, long-due debts were paid, and an eagerness to share in the anticipated profits covered an illicit trade with the enemy. In general, businessmen were optimistic, but the more cautious warned against the dangers of inflation. There were soft spots in the economy, and in the post-war recession when prices fell, credit tightened, and debts were hard to collect, it was clear that manufacturing had not matured and that commerce was still dependent upon capital and credit from outside the colony.<sup>40</sup>

However, although the interim years between King George's War and the French and Indian War necessitated readjustments, after a brief period the economy was carried along by the optimism of the times. Again, the cost of living increased, prices rose, and the volume of sales mounted. Credit continued to be extended and the relation of the price of Connecticut products to English manufactured goods was not unfavorable.<sup>41</sup> Direct trade with London had been increased and plans were made for an extension of the Atlantic trade. Foodstuffs continued to constitute the chief articles of export. The value of marketable products, however, was increased by flax and whale oil.<sup>42</sup> A threat to plans



was encountered as the merchants of the West Indies attempted to prevail upon Parliament to forbid the northern colonies from trading with the French West Indies. It was argued that the elimination of this trade would impair the French sugar industry which was dependent on the sale of rum. Connecticut objected because such a restriction would eliminate an important source of specie used to balance, partially, her trade with England. Restrictions were not imposed because the English merchants feared that such would contribute to the rising price of sugar.<sup>43</sup>

After the resumption of hostilities marked the beginning of the French and Indian War, wholesalers and retailers rushed into the market, buying up the goods for which it was believed there would be the greatest demand. Those with the capital and an understanding of the advantages of war to the mercantile interest placed additional orders for military supplies. Attempts were made to control the colony's external trade. When war was declared in 1756, Britain made trade with the French illegal. In March 1755, Connecticut forbade the transportation of foodstuffs out of the colony without the special permission of the Governor. The embargo was tightened in October, 1755, by the requirement that a bond of a 1,000 pounds be posted as security that beef, pork, wheat, rye, Indian corn, bread, and flour would not be sold outside His Majesty's dominions. This was admittedly ineffectual, and it is doubtful that the imposition of a fine in the same amount a year later was sufficient to secure compliance with the prohibitions.<sup>44</sup> Knowledge that beef was selling in Martinique at six pounds a barrel, three times its value in Connecticut, provided a strong temptation. The continuing efforts of the English secretaries to prevail upon Connecticut to provide effective prohibitory legislation would indicate that trade continued.<sup>45</sup> A certain amount of trade proceeded by special permission. Trumbull, Connecticut's merchant prince and a "prudent man," was among those favored by these grants of special permission. As an indication of the extent of operations under these provisions, it should be noted that Trumbull's intercession secured the release of a vessel, owned by Joshua Mauger, which had run afoul Connecticut's embargo provisions. Mauger was an unscrupulous merchant from Halifax, who had long since mastered the art of smuggling. As to whether

Mauger was carrying goods provided by Trumbull, his biographer could only say that after Trumbull "had explained the situation to the authorities," the vessel was allowed to proceed on its way to Halifax.<sup>46</sup> Other external trade, such as that to supply Great Britain with grain after a crop failure in England, was encouraged.<sup>47</sup>

The sutlers, or traders, likewise made exorbitant profits during the war by selling to the troops those necessities, such as rum, which made army life bearable. To defend themselves against being gouged, some soldiers refused to pay their debts and many were brought into court or had cases pending for this failure. It was ordered that the traders of the 1760 campaign appear before the assembly to show why their accounts should not be examined to fix a just and reasonable price for each article in the accounts before payment was made. In the meantime, all suits were to be continued or adjourned until the May session of the Court two months hence. There is no further record of action except that Fitch notified Amherst that the sutlers had been eliminated and thereafter the troops would be supplied with necessities by gentlemen of reputation and honor at certain rates. The affair thereafter escaped the attention of the assembly.<sup>48</sup>

In the next campaign, Trumbull and Hezekiah Huntingdon, one of the commissaries and an army provisioner par-excellence, secured the contract for clothing and refreshments and Amherst gave them exclusive rights to the trade. As evidence of their good faith, they agreed to make a full accounting of their transactions, and, in the event of complaints of their prices, they informed Amherst that they were willing to arbitrate the differences with the two chief officers of the Connecticut regiments. Arbitration was necessary. Whether because of personal grievances, or the price and quality of the products, dissatisfaction spread among the troops, and the officers met with Trumbull's nephew, Joseph Sluman. Sluman reported that after a "Vast Deal of Wrangling & Quarreling," the prices were fixed only slightly differently from those of the company.<sup>49</sup>

In view of the anticipated needs for war, the colony granted monopolies to secure increased production and to encourage new industries, such as glass. Special privileges were also extended to encourage the manufacture of steel and salt. A known or demonstrated skill was



apparently a prerequisite to securing a grant. The length of the monopoly and the date that production was to begin varied with the hazard or the novelty of the undertaking. Failure to submit evidence of performance or to meet the established production schedule could result in the forfeiture of the monopoly. The protection extended to the grantee was similar to that deriving from the modern patent laws. It is believed that these developed from the special monopolies granted by colonial legislatures.<sup>50</sup>

Credit played an important role in all phases of the economy. The consumer secured goods from a local shopkeeper, who, in turn, was dependent upon the local wholesaler for his supplies. Inland wholesalers (merchants) such as Jonathan Trumbull collected the local products which they took to importers in Boston or New York, where they exchanged them for the European goods that were needed in the colony. At all levels, exchanges were made on the basis of cash, products, and credit. Whereas the period of credit extended by the English merchant to the importer was from nine to twelve months that of the wholesaler to the shopkeeper was seldom more than six. Although the time extended to the consumer was shorter, most shopkeepers carried substantial charge accounts.<sup>51</sup>

Business organization and practices remained informal. Partnerships were entered into without contract or legal advice and were often for a single adventure and of a temporary nature. Generally, a partnership was composed of a group of traders, each of whom was working separately in a common endeavor. There was little specialization in the commercial activities of Connecticut. Most of those engaged in trade sold everything that was required by the consumer, from farm necessities to table luxuries. The quality of goods was generally poor and standards of weights and measures were crude. Bargain sales were unknown in small towns, but the retailers of the larger towns used "loss leaders" to attract customers.<sup>52</sup>

### *Agriculture*

A general shortage of foodstuffs developed during the wars, as the demand for products increased while their production decreased because of the absence of men during the cultivating season. Supplies were



further limited by the illicit trade with the enemy, both in Canada and in the West Indies, where beef, pork, wheat, and other provisions were shipped regularly.<sup>53</sup> The price of hay and corn was high, and even that



*(Courtesy Conn. State Lib.)*

REDDING—PUTNAM MONUMENT IN PUTNAM MEMORIAL CAMP GROUND  
(1935 PHOTO)

of inferior quality was shipped from Connecticut. This resulted in the withdrawal of corn from the family's food supply for use in the feeding of corn to the livestock in the winter. Production was limited in any case because of the colony's antiquated agricultural practices which had changed little since the seventeenth century. The clearing of the land of trees had impoverished the land.<sup>54</sup> Once the natural nutrients were



removed from the soil, the ignorance of such improved agricultural practices as rotation of crops, use of fertilizers, and the lack of interest in improved methods resulted in further depletion and in eventual exhaustion of the soil. The wooden tools were inadequate for effective cultivation of the rocky terrain, the shallow soil, and the hard pan. The unfavorable agricultural conditions were intensified by the existent combination of cheap land, high labor cost, and inadequate markets, which motivated most persons to move to new lands rather than to improve their old.<sup>55</sup>

Jared Eliot, however, reacted differently and pointed the way toward the improvement of agricultural practices. "Since . . . he was to an unusual degree part of all that he had met," he has been characterized by a recent biographer as the one most truly representative of Connecticut in the eighteenth century. After Eliot graduated from Yale in the class of 1706, he returned to his birthplace, Guilford, where he served for one year as schoolmaster. In 1707, he became pastor of the church in Killingworth, a position which he held until his death. It is customary to speak of him as the "father of regular medical practice." He was the most prominent physician of his day in Connecticut, and probably the last eminent, clerical physician in New England. As minister, physician, and as trustee of Yale after 1730, Jared Eliot observed Connecticut and his attention was caught by the crucial weaknesses in its agricultural base. He stands out as the "first great American agricultural investigator and writer." His influence extended far beyond the borders of Connecticut, even beyond the American colonies. He maintained an extensive correspondence with European authors, although he believed that, in general, their findings were unsuitable for Connecticut.<sup>56</sup> Eliot's *Essays upon Field Husbandry in New England* appeared irregularly over a period of fourteen years from 1748 to 1761. In these, Eliot gave especial attention to the drainage of swamps, the redemption of exhausted land, the use of fertilizers, the improvement of agricultural machinery. He considered both the diversification of crops and the development of a staple crop.<sup>57</sup>

The major problem of Connecticut agriculture, aside from that of providing necessary subsistence, was the establishment of a staple crop. In the absence of manufactured products, agriculture still had to pro-

vide the surplus necessary for foreign commerce. Tobacco had become a staple in Windsor's trade with the West Indies by 1745, and, at the same time, some tobacco was being sent to Boston. A bounty of 4d per pound on hemp, which had been voted by the Assembly in 1734, was extended in 1746.<sup>58</sup> Hemp, however, required very good land. Eliot was of the opinion that to produce it in any great quantity "would require all of our dung" and necessitate the drainage of swamp lands to make a sufficient amount of good land available.<sup>59</sup> Flax seed, too, was believed to be of potential value to the European trade. By the middle of the 18th century, the amount exported reached a value of £80,000 annually.<sup>60</sup> It was in great demand in Ireland and brought a good price. The colony possessed oil mills which Eliot estimated to be worth £16,000 (old tenor) which were idle because of a lack of flax seed. Eliot suggested that Connecticut might devote its attention to the planting of rape seed as a substitute for flax in home consumption and for sale to the West Indies.<sup>61</sup> This attempt to develop a staple crop resulted in the beginning of a differentiation of frontier agriculture from that of the more settled communities.<sup>62</sup>

In the new settlements, the extensive agriculture, which had been the early pattern of the older communities, was practiced. The older regions began to turn their attention to those crops which would bring a higher yield per acre. The trend that agriculture would take in the valley in the following generations was indicated by the emphasis in Windsor on growing tobacco for export. By the middle of the 18th century the older towns were already depending on the western areas for wheat. Jared Eliot asked what they were to do when the new towns became old, "unless some better way can be found to manage our old lands . . . ?"<sup>63</sup>

### *Currency*

When the wars began in 1739, Connecticut resumed the issue of paper money. She continued this practice, despite the objections of Great Britain and the neighboring colonies, during King George's War. She followed it, although reluctantly, during the French and Indian War. When Connecticut responded to the request to assist in the early expedition against Jamaica, she issued bills of credit in the amount of



30,000 pounds in new tenor bills and 10,000 in old tenor bills. The old tenor bills, issued during Queen Anne's War, had been gradually reduced from 24,875 pounds in 1715 to 4,380 pounds by 1730. The additional 30,000 pounds, placed in circulation in the settlement of the affairs of the New London Society, were supposed to be retired gradually, but it is clear that during wartime all bills received in payment were promptly reissued.<sup>64</sup> As the paper money of the colonies began to circulate promiscuously, England suggested that it be brought under control.<sup>65</sup> At the war's end, she was to state her demands more persuasively.

The supply of money was not only an issue in the relation of the colony to England, but also a central issue in Connecticut's relations with other colonies, especially Massachusetts. Through the inflated currency, the agricultural colonies had offset, to a degree, the favorable balance that Massachusetts enjoyed as a commercial center. The exchange value of the bills for silver continued to decrease after Massachusetts failed to secure Connecticut's cooperation in stabilizing the currency. A group of Boston merchants were successful in 1744 in having a petition introduced in Parliament in which there was requested a bill to prevent the further emission of paper money. During the elation that followed the victory at Louisbourg and while planning the invasion of Canada, however, the idea was dropped—temporarily.<sup>66</sup>

There were merchants in England whose interests were compatible with those of merchants in Massachusetts. After Parliament voted reimbursement to the colonies and authorized the treasury to supervise its distribution, the English merchants petitioned that the treasury withhold the funds until the exchange rate of the paper currency was adjusted and a method for paying off the bills of credit evolved. With this reenforcement of the Massachusetts position, Governor Shirley pressed Connecticut to join with Massachusetts to bring the bills to an end. Governor Law, however, was confident that Connecticut could call in all of her bills once she received the reimbursement, and, as he wrote to Palmer, Connecticut's London agent, on much easier terms than if the colony had to retire them with silver which would have to be borrowed in Great Britain and repaid in twelve years. There was sound reason for his belief that the silver could never be recovered. Connecticut was an

agricultural colony lacking Massachusetts' commerce. Connecticut refused to accept the Boston scheme, asserting that it was dangerous, but "well calculated to defeat all views we have had for setting up a difference in our trade from them and making a distinction between their bills and ours."<sup>67</sup>

Speculators, who from the beginning of the war had complicated the paper money question, now stood to gain more if reimbursements were granted by England. On occasion, public men had advanced money to the colony for the soldiers' pay, and, on other occasions, had engaged in the nefarious operation of purchasing soldiers' pay vouchers. Jonathan Trumbull, for example, borrowed money in Boston for the purchase, at a considerable discount, of soldiers' pay orders. The speculators expected to double their money.<sup>68</sup>

By the Fall of 1748, the Treasury of Britain had agreed to disburse the money granted as compensation for the Cape Breton campaign if the colonial agents would give security that it would be applied to the retirement of the paper issues. Even when Connecticut belatedly agreed to this, the British Treasury still delayed. In the meantime, Massachusetts had acted independently and had passed legislation drawing in its bills of credit, fixing the rate of exchange at 45 shillings, and prohibiting the currency of other colonies to circulate in Massachusetts. For this, Massachusetts rushed off apologies to Connecticut and urged that a similar course be followed in Connecticut. Only one member of the Connecticut Council for Defense favored calling the Assembly to consider the issue and Governor Law remained confident that it would not be difficult for Connecticut to retire the bills "if those who take benefit by the depreciation be not too numerous for those more honestly inclined."<sup>69</sup>

The economy of the colony would be greatly affected by the method of redeeming the paper currency and by the speed with which it was done. If it were redeemed at nominal rather than at the current rate and if the payment were made promptly the speculators' profits would be assured. In fact, however, the notes were redeemed at a rate only slightly higher than the current rate.<sup>70</sup> It was decided, also, to redeem the notes gradually. The threat of a Parliamentary act to prohibit new issues of paper currency, finally passed in 1751, made Connecticut



agree to apply any money granted her by England to the sinking of the bills of credit and to retire the remainder by taxes to be collected in 1751, 1752, and 1753.<sup>71</sup> In August, 1750, Connecticut was advised that £28,863 on deposit in the Bank of England could be drawn on by the colony. The money granted by England was permitted to remain there, which saved the expense of transfer, and instead bills were drawn on their agent.<sup>72</sup> The money which was not immediately needed was invested in public stocks. Collection of a rate of threepence on the pound in 1750 was so successful that it could be reduced in 1751 and 1752 to one penny on the pound new tenor currency, with the privilege of paying in old tenor currency at the rate of three and one-half to one of the new tenor or in Spanish milled dollars valued at thirteen shillings and ninepence in the new tenor.<sup>73</sup> There was just reason for Douglass' saying in *A Summary . . . of the British Settlements in North-America* that Connecticut was a government of "sagacious husbandmen" and managed by "men of wisdom and probity."<sup>74</sup>

Connecticut had not come to her decision without arousing the protest of various elements of her society. Although only the overtones of the discord are revealed, it is clear that all were not happy. Apparent, but not clearly measurable, are the differences between the Governor and the Council on the one hand and the Assembly on the other. Law hesitated to call the Assembly to consider the question of termination of the issues of bills of credit. In the single recorded vote of the Council on this issue, only one of the four favored calling the assembly. On the other hand, when Law believed that Wolcott was inclined to call the representatives into session, Law did not hesitate to disagree. The Reverend Samuel Johnson believed that sound currency could be achieved only if the Governor were given a negative voice, or veto power, and if the Council were made less dependent on the people.<sup>75</sup>

That differences of opinion existed, also, between the upper and lower houses of the Assembly is indicated by the controversy which arose in answer to a request from England for a complete accounting of paper money in Connecticut. Approval of a draft of a reply was delayed in 1750 from the May to the October session of the General Assembly on the motion of the lower house. In October, the lower house refused the draft presented to them and forced the question to be referred to a joint

committee of the two houses. The pending action of the British parliament to restrict the issues of paper currency restrained full play of the differences, but it seems clear that the upper and lower houses were not of one mind on paper money.<sup>76</sup>

The merchants summarized their position in 1751 by memorials to the assembly pleading for the discontinuance of the paper issues. A false and unstable currency was an "abomination to the Lord," they asserted, which must be corrected to protect the trade and to encourage "every honest Art, trade & manufacture." It was necessary that the just value of their outstanding debts be secured and that "the Medium of Trade may be rendrer'd Stable for time to come." The people, it was said, who did not duly consider the reason for a discount had become accustomed not to discount notes for any obligation. The people had been so generally in favor of paper currency that it was necessary to prohibit the passing or taking of paper money.<sup>77</sup> The merchants protested that the acceptance of Rhode Island bills, for example, "would soon sap the foundation of trade and commerce among us."<sup>78</sup> As Connecticut returned to an orthodox money basis, she outlawed the currency of Rhode Island and New Hampshire from circulating within Connecticut as legal tender.<sup>79</sup>

The conflict over paper money in Connecticut, however, was not simply the conflict of the debtor and creditor classes. It was a complex issue characterized by the shifting positions of the participants in the argument. In the economic fluctuations of mid-eighteenth century Connecticut, many rose to new positions of wealth and their attitudes changed with their interests. As merchants were both creditors within the colony and debtors to those outside the colony, their attitudes varied somewhat because of the inherent conflict in their business needs and as the balance between their positions changed.<sup>80</sup>

Connecticut attempted to put her finances on a sound basis. Provisions were made for drawing in the old tenor bills and the assembly directed that all accounts of the colony after November 1, 1756 should be kept in lawful money. The currency of New Hampshire and Rhode Island had continued to circulate and Connecticut requested these colonies to call in their old bills.<sup>81</sup> New York had eased somewhat Connecticut's financial stress by advancing the colony £8,000 toward the expenses of the Crown Point campaign. The treasury was low, however,



and the colony resorted to many methods in the attempt to replenish it. These included a revival of the intercolonial tariff of five percent on £100 and a tonnage tax of three pence on those vessels not going beyond Philadelphia and Nova Scotia.<sup>82</sup> Connecticut feared that additional issues of paper currency would dangerously depreciate the currency. By 1756, £49,500 had already been issued.<sup>83</sup> In 1756, rather than issue more, Connecticut secured a loan from Massachusetts for £10,000, planning to repay it when reimbursement was received from England for the 1755 campaign.<sup>84</sup> It was learned in May, 1756, that money had been granted for the relief of the colonies, but it was not until Fall that it was known that the money was to be considered as "a free gift" from the mother country. Connecticut's share of the £115,000 granted was to be £26,000 less commissions. In the end, the commissions were given up by those handling the account in England and America.<sup>85</sup>

Perhaps a measure of the favorable state of money in Connecticut is indicated by the provision that produce presented in payment for rates could be sold for gold and silver to avoid the inconvenience of using paper money exclusively as had been provided in the act of 1755. The bills, themselves, were in short supply. The treasurer of the colony was urged in October, 1756, to have on hand, for the expenses of the assembly, specie sufficient to make up for the lack of bills of credit.<sup>86</sup> The determination to avoid paper currency seems almost fanatical. To secure the funds necessary for the next campaign, a public lottery was authorized to raise £8,000. Too, the ministers were urged to instruct their congregations, especially the rich and wealthy, as to the importance of contributing to the treasury, in the hope that £5,000 or £6,000 would be received.<sup>87</sup>

Despite Connecticut's efforts to avoid issuing paper money, she resumed the practice in 1758, and, by the end of 1761 had obligated the colony to the extent of £327,200, including five per cent interest. By further issues between 1761 and 1765, the colony was obligated to an additional £100,650, including interest, or to a total of £427,850.<sup>88</sup>

The significance to Connecticut of the wars with the French was to be measured in the subsequent relation of the colonies to the empire and in changes in the internal situation in Connecticut. There is evidence to suggest that the war years were prosperous years in which the

state and groups among the populace benefited financially. In the quarter century of warfare, although Connecticut had established limits to cooperation, she had contributed her fair share as compared to the other colonies. The victory, which eliminated the French threat to Connecticut and the other colonies reduced the dependence of the colonies on British forces and made the colonies less willing to subscribe to an imperial control which Britain believed to be justified and necessary. The difference between colonial and British attitude as to the requirements of the victory was a basic factor in the controversies leading to the American Revolution.

## NOTES—CHAPTER XI

<sup>1</sup> Wrong, *Rise and Fall of New France*, II, pp. 661-69.

<sup>2</sup> *Law Papers, Correspondence and Documents during Jonathan Law's Governorship, 1741-1750*, in *Collections*, Conn. Hist. Soc., XI (Hartford, Conn., 1907), pp. 60-61, 132-33. The responsibility for the conduct of the war rested, as previously, with the Governor and the War Council. All powers not specifically granted to them were reserved by the General Assembly and its favorable vote was required for the use of the troops for other than frontier purposes. On matters of frontier defense, the council could act independently of the Governor, who was irritated at times because of the Council's autonomous position and his own anomalous position in relation to the General Assembly. Jonathan Law contrasted his impotence as Governor of Connecticut to the authority of the Governor of New York in a letter to the latter: "Where a more absolute Authority will not answer, what can a lesser body do? The greater the privileges of the people, the lesser the Prerogative." *Conn. Col. Rec.*, X, p. 42; XI, p. 10; *Fitch Papers, Correspondence and Documents during Thomas Fitch's Governorship of the Colony of Connecticut, 1754-1766*, in *Collections*, Conn. Hist. Soc., Vol. XVII (Hartford, 1918), pp. 178, 304.

<sup>3</sup> Wrong, *New France*, II, pp. 609-11; 669-71. By virtue of supplying 1,000 men for the effort, Connecticut secured the appointment of one of its residents, Oliver Wolcott, as second in command of the provincial forces under William Pepperell. *Law Papers*, pp. 125-29; *Conn. Col. Rec.*, XI, pp. 83, 128, 148.

<sup>4</sup> *Ibid.*, pp. 67-75, 676-80; *Conn. Col. Rec.*, IX, pp. 31, 71-77; "Roger Wolcott's Journal at the Siege of Louisbourg, 1745," in *Collections*, Conn. Hist. Soc., I, pp. 131-62.

<sup>5</sup> *Law Papers*, XI, p. 60.

<sup>6</sup> *Ibid.*, XIII, pp. 277, 285, 350; *Conn. Col. Rec.*, IX, pp. 257-58, 263; Wrong, *New France*, II, p. 681.

<sup>7</sup> *Ibid.*; *Law Papers*, XIII, pp. 288-92; XV, pp. 1-12, 26-33, 39-40, 187, 200, 218; *Conn. Col. Rec.*, IX, pp. 341-42.

<sup>8</sup> Wrong, *New France*, II, pp. 742-58; *Papers of Governor Wolcott, 1750-54*, in *Collections*, Conn. Hist. Soc., XVI, pp. 426, 435-438.

<sup>9</sup> *Fitch Papers*, XVII, pp. xxvii-xxix, 3, 15-17; *Conn. Col. Rec.*, X, pp. 267-68.

<sup>10</sup> *Ibid.*, 267-93, *Wolcott Papers*, pp. xvi, 435-38; *Fitch Papers*, LXVI, pp. xxviii-xxix, 3, 15-29.

<sup>11</sup> *Conn. Col. Rec.*, X, pp. 214, 319-44; *Fitch Papers*, pp. 48-55, 65-75, 95-107.



- <sup>12</sup> Wrong, *New France*, II, pp. 761-83; *Conn. Col. Rec.*, X, pp. 425, 461-62, 625.
- <sup>13</sup> Lawrence Henry Gipson, *The British Empire Before The American Revolution*, (Caldwell, Idaho and New York, 1936), VI, pp. 321-24, 323 note.
- <sup>14</sup> *Ibid.*, VI, pp. 175-76; *Fitch Papers*, XVII, pp. 154-62; *Conn. Col. Rec.*, X, pp. 422-23.
- <sup>15</sup> *Ibid.*, pp. 458, 545; Gipson, *British Empire*, VI, pp. 162-211; Weaver, *Jonathan Trumbull*, pp. 76-77; *Fitch Papers*, XVII, pp. 183-266.
- <sup>16</sup> *Conn. Col. Rec.*, XI, p. 61; Gipson, *British Empire*, VII, pp. 62-89; *Fitch Papers*, X, VII, pp. 275-314.
- <sup>17</sup> Gipson, *British Empire*, VII, pp. 155-56.
- <sup>18</sup> *Ibid.*, pp. 156-67.
- <sup>19</sup> *Ibid.*, pp. 160-61.
- <sup>20</sup> *Conn. Col. Rec.*, XI, pp. 100, 104-105.
- <sup>21</sup> *Fitch Papers*, VII, p. 350; Gipson, *British Empire*, VII, p. 217 and note.
- <sup>22</sup> *Ibid.*, pp. 222-33.
- <sup>23</sup> *Ibid.*, p. 233.
- <sup>24</sup> *Fitch Papers*, XVII, pp. 350-51.
- <sup>25</sup> Gipson, *British Empire*, VII, p. 160; Weaver, *Jonathan Trumbull*, pp. 83-84; *Conn. Col. Rec.*, XI, pp. 176-80.
- <sup>26</sup> *Ibid.*, pp. 222-23, 251-53; *Fitch Papers*, XVIII, pp. 1, 12-15, 21; Gipson, *British Empire*, VII, pp. 310-13.
- <sup>27</sup> *Fitch Papers*, XVIII, pp. 21-32.
- <sup>28</sup> *Ibid.*, pp. 52-75.
- <sup>29</sup> *Ibid.*, pp. 78-81, 91, 99-110, 117-19.
- <sup>30</sup> *Ibid.*, pp. 206-207.
- <sup>31</sup> Weeden, *Economic and Social History*, II, p. 67.
- <sup>32</sup> Weaver, *Jonathan Trumbull*, p. 34.
- <sup>33</sup> Weeden, *Economic and Social History*, II, pp. 667-68.
- <sup>34</sup> *Ibid.*, p. 653; Weaver, *Jonathan Trumbull*, pp. 32-33.
- <sup>35</sup> Margaret E. Martin, *Merchants and Trade of the Connecticut River, 1750-1820* (Smith College Studies in History, V, no. 4) (Northampton, 1920), pp. 1-3, 19; Bailey, *Influences in Radicalism*, pp. 188-89; Weaver, *Jonathan Trumbull*, p. 33; Gipson, *British Empire*, III, p. 76.
- <sup>36</sup> Weaver, *Jonathan Trumbull*, pp. 20-21; Bailey, *Influences toward Radicalism*, pp. 188-89.
- <sup>37</sup> Jared Eliot, *Essays Upon Field Husbandry in New England 1748-61*, Henry J. Carman and Rexford Tugwell, eds., (New York, 1936), pp. LIV ff.
- <sup>38</sup> Clark, *History of Manufacturing*, I, p. 59.
- <sup>39</sup> *Ibid.*; Weaver, *Jonathan Trumbull*, p. 39; Weeden, *Economic and Social History*, II, p. 647; *Conn. Col. Rec.*, IX, pp. 283-86, 393-95.
- <sup>40</sup> Weaver, *Jonathan Trumbull*, pp. 40-41.
- <sup>41</sup> *Ibid.*, p. 62.
- <sup>42</sup> *Ibid.*, p. 42, *passim*.
- <sup>43</sup> "Wolcott Papers," pp. 35, 96-99, 195-97.
- <sup>44</sup> *Conn. Col. Rec.*, X, pp. 350, 424, 550; Weaver, *Jonathan Trumbull*, pp. 68-74.
- <sup>45</sup> *Ibid.*, pp. 78-79.
- <sup>46</sup> *Ibid.*, pp. 68-74.
- <sup>47</sup> *Fitch Papers*, XVII, p. 304.
- <sup>48</sup> *Ibid.*, XVIII, pp. 108, 110; Weaver, *Jonathan Trumbull*, pp. 85-88; *Conn. Col. Rec.*, XI, p. 488.
- <sup>49</sup> *Ibid.*

- <sup>50</sup> Clark, *History of Manufacturing*, I, pp. 47-51; *Conn. Col. Rec.*, V, p. 46; VI, pp. 79-80, 572; VIII, pp. 338, 395-96, 574; IX, p. 58.
- <sup>51</sup> Weaver, *Jonathan Trumbull*, pp. 11-12, 22, notes 1 and 3.
- <sup>52</sup> *Ibid.*, pp. 12ff. and *passim*.
- <sup>53</sup> Eliot, *Essays*, p. 29.
- <sup>54</sup> *Ibid.*, pp. xiv, 7-8.
- <sup>55</sup> Boyd, *Susquehannah Company Papers*, I, pp. xlv-xlvii.
- <sup>56</sup> Eliot, *Essays*, pp. xxv-xxxii, liii.
- <sup>57</sup> See, Eliot, *Essays*.
- <sup>58</sup> Weaver, *Jonathan Trumbull*, p. 31.
- <sup>59</sup> Eliot, *Essays*, p. 15.
- <sup>60</sup> Clark, *History of Manufacturing*, I, p. 82.
- <sup>61</sup> Eliot, *Essays*, pp. 59-60.
- <sup>62</sup> Bidwell and Falconer, *History of Agriculture*, p. 69.
- <sup>63</sup> *Ibid.*, pp. 69, 91-92.
- <sup>64</sup> *Conn. Col. Rec.*, VII, pp. 419-23, 449-56; VIII, pp. 318-21, 327; Henry Bronson, *A Historical Account of Connecticut Currency, Continental Money, and the Finances of the American Revolution* (New Haven Historical Society Collection) (New Haven, 1865), p. 41.
- <sup>65</sup> *Conn. Col. Rec.*, VIII, pp. 357-60. Although her war needs broadened the English tolerance of colonial issues, Connecticut was careful to appear to stay within the limits which England established. When England objected to making the new issues legal tender, Connecticut repealed that part of the act of issue which made it obligatory for persons to accept the bills in payment but they were to be accepted by the treasury as lawful money. *Conn. Col. Rec.*, X, pp. 214, 319, 328-31, 344, 350, 424, 550; Weaver, *Jonathan Trumbull*, pp. 68-74.
- <sup>66</sup> Weaver, *Jonathan Trumbull*, pp. 11-21; *Law Papers*, XI, pp. 99-100, 143-44, 269.
- <sup>67</sup> *Ibid.*, XV, pp. 183-219, 223, 226, 230, 232.
- <sup>68</sup> *Ibid.*, pp. 183-86; Weaver, *Jonathan Trumbull*, pp. 32-39.
- <sup>69</sup> *Ibid.*, pp. 41-42; *Law Papers*, XV, pp. 264, 268, 279-80, 286-87, 290-95, 310, 337, 340, 363, 435-36, 465; *Conn. Col. Rec.*, IX, pp. 447-49.
- <sup>70</sup> Dorfman, *Economic Mind*, I, pp. 160-61.
- <sup>71</sup> *Conn. Col. Rec.*, IX, pp. 447-49.
- <sup>72</sup> *Ibid.*, p. 161.
- <sup>73</sup> Lawrence Gipson, "Connecticut Taxation, 1750-75," *Conn. Ter. Comm. Publ.*, pp. 3-5.
- <sup>74</sup> Quoted in Dorfman, *Economic Mind*, I, p. 162.
- <sup>75</sup> Dorfman, *Economic Mind*, p. 161.
- <sup>76</sup> *Wolcott Papers*, XVI, pp. 60-64.
- <sup>77</sup> Bronson, *Connecticut Currency*, pp. 57-66.
- <sup>78</sup> *Ibid.*, pp. 374-94.
- <sup>79</sup> Gipson, "Connecticut Taxation," p. 6.
- <sup>80</sup> Dorfman, *Economic Mind*, I, p. 141; Zeichner, *Connecticut's Years of Controversy*, p. 39.
- <sup>81</sup> *Ibid.*, p. 178; *Conn. Col. Rec.*, X, p. 42.
- <sup>82</sup> *Ibid.*, XI, p. 10.
- <sup>83</sup> *Fitch Papers*, XVII, p. 161; Gipson, "Connecticut Taxation," pp. 18-19.
- <sup>84</sup> *Conn. Col. Rec.*, X, p. 476.
- <sup>85</sup> *Fitch Papers*, XVII, pp. 198, 201, 205, 251-52.
- <sup>86</sup> *Conn. Col. Rec.*, X, p. 569.
- <sup>87</sup> *Ibid.*, pp. 604-605.
- <sup>88</sup> Gipson, "Connecticut Taxation," pp. 18-24.



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## Chapter XII

### The Period of Protest and Petition

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**B**Y 1765, THERE HAD EVOLVED, in Connecticut, an attitude of separatism. The settlement and defense of the frontier, the struggle to gain a basis for economic independence from the thin soil, the efforts of the established order to withstand the elements of dissent from within, the eternal vigilance exercised against the encroachments from abroad upon charter rights—all these had contributed to a common ideal to be left alone. The New England Confederation had proved ineffective long before it had formally ceased to exist and arrangements with neighboring colonies remained formal and guarded. Whereas Connecticut desired the liberty to work out her own destiny, apparently there was, in 1765, no general desire to be free from the mother country. However, Connecticut interpreted, as inimical to her interests, the laws enacted by Great Britain, after the French and Indian War, to meet the administrative and financial difficulties of her empire. Connecticut reaction enabled the radicals to gain control and the attitude of separatism was translated into cooperative action with other colonies and into the demand for independence from Great Britain.

#### *Western Lands*

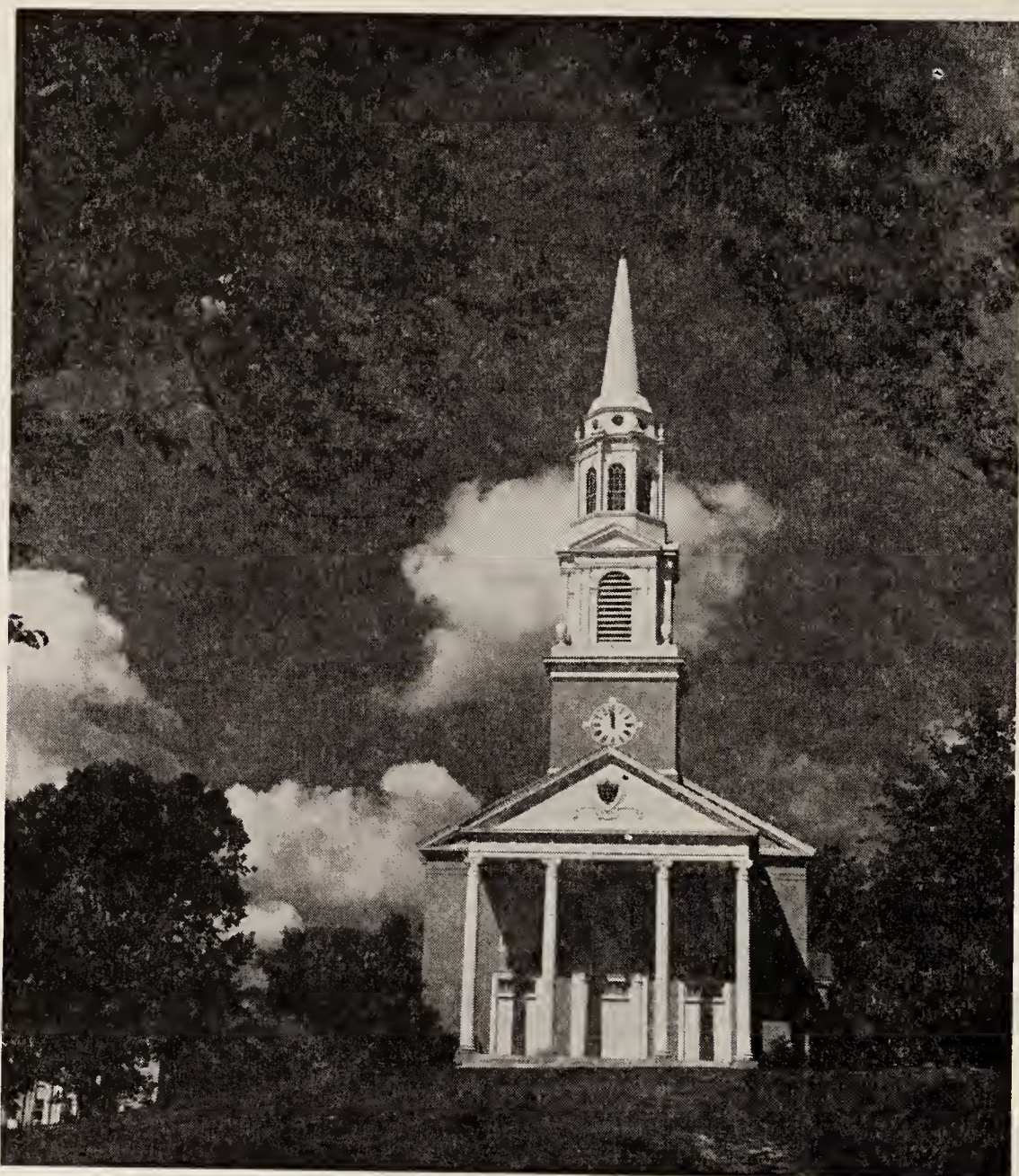
As the French and Indian War was nearing its conclusion, the Susquehanna and Delaware companies resumed their interest in western lands. These proposed settlements faced the hostility of the Indians, the ire of Pennsylvania, and the opposition of the British government. Pennsylvania regarded the areas claimed by both companies as falling properly within her province and protested vehemently against this alleged intrusion into her territory. Also, Sir Jeffrey Amherst, the Commander-in-Chief of British forces in America, warned the Governor

of Connecticut against laying the foundation for another Indian War. Yet, warnings were not prohibitions, and the first Connecticut settlement on the Delaware was made late in 1760 and the Susquehanna Company made plans to move into the Wyoming River territory the following Spring.<sup>1</sup>

When an attempt was made to secure from the Indians a confirmation of its claims, an armed force of over one hundred picked men was sent late in the Summer of 1762 to settle, forcibly if necessary, the Wyoming River territory. When Pennsylvania's Governor Hamilton inquired as to their intentions, the settlers informed him that the force would be increased by a thousand the next Spring. As the threats of the Indian became ominous, however, the settlers were forced to withdraw to Connecticut for the winter. Before the settlers could again start for the Wyoming Valley, a deputation of Indians arrived in Hartford to protest the encroachment upon their territory. In response to Governor Fitch's persuasiveness, however, they assured him that if the lands were ever sold they would be sold to Connecticut—similar assurances had been made to Pennsylvania for years.<sup>2</sup>

Notwithstanding the protest of the Indians and despite a decision of the British government favoring the Pennsylvania claim, Connecticut settlers persisted in moving into the area. Sir William Johnson, the Indian Commissioner for the Northwest, informed the Board of Trade of the dangers of Indian uprisings if the Susquehanna Company persisted in attempting a settlement. A determination of governmental policy concerning the American West was of immediate importance as Britain emerged victorious in the French and Indian War. As long as the French occupied the territory, the British had permitted colonial expansion, for it served as a barrier against the enemy. After the French were removed, it was believed any policy adopted should reconcile the many commercial and financial factions in Britain and be eminently fair to the Indians in order to avoid future difficulties. Until the matter could be determined by the King in Council, Governor Fitch was ordered by the Board of Trade to stop western settlement immediately.<sup>3</sup> In accordance with this directive, the Delaware Company ordered an immediate cessation of its plans and recalled the settlers from the west. The Susquehanna, too, voted to stop further settlement. Under earlier





*(Courtesy Conn. State Lib.)*

STORRS—CONGREGATIONAL CHURCH

orders of the Company, in May of 1762, as many as one hundred and fifty settlers moved into the territory, probably departing after the prohibition was known. The Privy Council had recommended, also, that both Pennsylvania and Connecticut name commissioners to go to the Wyoming River area to acquaint the settlers there with the King's proclamation that the Connecticut settlers be removed from the territory. In the Fall, the General Assembly named Major David Baldwin of Milford to represent Connecticut.<sup>4</sup>



In the meantime, in June 1763, a comprehensive plan was submitted to the King for the administration of the western lands. This would have provided temporary relief to the Indians by preventing settlement west of the crest of the Appalachians. The plan caused a ministerial crisis; and before a final decision could be reached, news came that Pontiac had united the Indians of the Northwest in an effort to push the English across the mountains. This made it impossible to work out a permanent western policy until the Indians were subdued. To meet the existing situation, trade in the western area was immediately restricted to those who obtained a license from colonial governors or the military commander; all private land purchase from the Indians was forbidden; Quebec, West Florida, and East Florida were opened at once to settlement; and the western limit for white settlement was to follow the Appalachian highlands. Raiders of Pontiac's forces extended to the Wyoming River valley, and there, on October 15, annihilated the Connecticut settlers, thus effectuating the King's proclamation and rendering the mission of the Commissioners unnecessary.<sup>5</sup>

Pontiac's forces were quickly subdued. Under a truce arranged by the French, he was permitted to escape into Illinois territory. It was hoped by the French that he would there organize a new army. The following Spring, the Connecticut General Assembly provided 265 men and necessary provisions to meet the expected attack. Peace was arranged with nearly all of the western tribes by the Treaty of Niagara in the Summer of 1764. Those who refused the treaty were quickly brought under control. The west was quiet, but the Indian threat had emphasized to Britain the necessity of strengthening her administrative ties with the colonies and the need for the colonies to assume a larger share of the financial burden of defense of the empire.<sup>6</sup>

### *The Tax Controversy*

Connecticut was not unaware of this sentiment. The ever-alert Connecticut agent in England, Richard Jackson, forwarded to Governor Fitch materials indicating that Lord Grenville was determined to enforce the Molasses Act.<sup>7</sup> The threat threw Boston merchants into a panic and those in Connecticut soon reacted similarly. Before any effective opposition could be organized, the Sugar Act was passed in 1764.



Merchants of New London had already petitioned the General Assembly to oppose the bill. It was argued that the bill would cause "very much distress" and that some of the merchants faced ruin. Certain persons had taken practical steps to foil the British attempts by vowing to make their own wines and in sufficient quantity to provide for the "gentlemen of the college" who had sacrificially sworn "to confine themselves to domestic liquors," Jared Ingersoll believed that the British "had overshot their mark" in the Sugar Act, and, a few months later it was questioned in the Connecticut press whether or not independence might not result from America's opposition to the acts. There were those, such as Eliphalet Dyer, who had returned only recently from England where he had attempted to get the Crown to consider favorably the claims of the Susquehanna Company, who believed that now was the time for the colonies to exert themselves if they were to preserve their favorable position. Efforts were to be of no avail in securing repeal, for the taxes were immediately necessary to help replenish the badly depleted British treasury.<sup>8</sup>

The extent to which Connecticut reaction to the imposition of the taxes by Britain was conditioned by the general economic conditions of the colony and the ability of its residents to pay the duties does not seem to have been determined conclusively. Zeichner, in a brilliant monograph on *Connecticut's Years of Controversy*, advances the thesis that "economic adjustments made necessary by the peace were frequently disastrous."<sup>9</sup> Whereas Zeichner presents evidence to indicate a difficult plight of the farmers, it does seem that the complaints of the commercial classes are more clearly demonstrated. Gipson, in an equally incisive study of Connecticut *Taxation*, points out that Connecticut had practically freed herself from debt by the year of 1765 and concludes that a general well-being existed in the colony. Gipson suggests that during the French and Indian War, Connecticut "floated on the crest of a wave of prosperity" and that "from 1755 to 1764 money was plentiful and easy to find for taxes." He considers the decade of the sixties as the period in which Connecticut made her first appearance as a center of wealth, and cites a traveler, who observed in 1769, that "parents were sufficiently wealthy to provide farms and equipment for their numerous children as soon as the latter were ready to marry."<sup>10</sup> There seems no

doubt that post-war conditions affected the various classes of people differently and it seems that a more exhaustive examination is necessary to determine their relative wealth producing abilities. It does appear that Connecticut residents were comparatively in a better position to assume their portion of the taxes than were residents in England. It is more important, however, that on the eve of the Stamp Act, Connecticut had adopted as public policy the declaration that additional taxes would be ruinous for an already overburdened colony.

Reaction was immediate when the Stamp Act was proposed. Eliphalet Dyer viewed the act as an attempt "to fix upon us a large number of regular troops under pretense of our defense; but rather designed as a rod and check over us."<sup>11</sup> Trumbull saw the danger as resulting in a government of Kings and councils without representative government. Jared Ingersoll, a known Connecticut conservative, who, it may be assumed, represented the greatest concessions the colonies would willingly make, was of the opinion that if the King should fix a proportional duty the colony would do its part for the common cause, yet he asked "if parliament once interposes to lay a tax, tho it may be very moderate, & the Crown appoint officers of its own to collect such tax & apply the same without acct. what consequences may or may not follow?"<sup>12</sup> He pointed out that "the people's minds not only here but in neighboring Provinces are filled with the most dreadful apprehensions" and made it clear that any suggestion that he might make "would go down with the people like chopt hay."<sup>13</sup> It was against this background of opinion, that the Assembly had taken formal action on the information furnished it concerning the new taxes by its agent in London, Richard Jackson, and had appointed its committee of three New London merchants, Gordon Saltonstall, Nathaniel Shaw, and Thomas Mumford, "to collect and set in the most advantageous light all such arguments and objections as may justly and reasonably be advanced against creating and collecting a revenue in America, more particularly in this Colony, and especially against effecting the same by Stamp Duties &c."<sup>14</sup>

The "reasons" which Connecticut advanced in opposition to the taxes<sup>15</sup> were based on two fundamental premises: they were contrary to the rights of Englishmen and they were contrary to the rights guaran-





*(Courtesy Conn. State Lib.)*

ENFIELD—CHURCH ON THE GREEN

teed by the charter. It was held that consent was necessary before taxes could be imposed on a free people and this consent could be neither pretended nor implied, but, rather, it must be expressly granted by themselves or by their representatives. They regarded as representatives those elected directly by residents of the colony. The rights of the colony as defined by the charter were reviewed, and, to support the efficacy of charter government, the many contributions which Connecticut had made in defense of the British Empire were recounted.



Catalogued among these contributions, with a certain lack of candor, was the statement that the expenses incurred during the late war amounted to upwards of 400,000 pounds over and above the parliamentary grants. It was also asserted that "the large Arrears of which Sum will remain a heavy distressing Burden upon our people."<sup>16</sup> When the statement was repeated in 1767, the Colonial Secretary stated that the accounts were not so complete as they ought to have been and requested that the Treasury's account of the disposition of public funds be forwarded. By this time it was stated adroitly by Pitkin that through exertions beyond their abilities, the debt had been reduced to 48,000 pounds. In reality, both in the "Reasons" and in a report to the Board of Trade in 1764 concerning the means provided for the redemption of the bills of credit, there was nothing said of certain assets that still remained on hand nor of the relief from taxes which Connecticut enjoyed during the whole of the period from the French and Indian War until the outbreak of the Revolution. This favorable situation had been made possible, partially, at least, by the monetary grants which Parliament had made for Connecticut's contribution during the war. Gipson believed that Connecticut was determined "to guard, as a profound official secret, the existence of financial resources so large as to make it possible . . . to refrain from making a number of the tax levies."<sup>17</sup>

Whereas Connecticut's protest acknowledged the supreme power of Parliament in general affairs, it was argued that this power did not extend to matters of taxation of those colonial areas which were not directly represented in Parliament. Ingersoll, who had gone to England in the Fall of 1764, distributed Connecticut's "Reasons" among the members of the Ministry and Parliament. Grenville, however, denied the basic premise of the Connecticut argument and maintained, instead, that the colonials were represented in Parliament and could be taxed by it. Ingersoll devoted himself to securing a modification of the act, to counseling the colonies to act moderately, and to securing for himself the appointment as distributor of stamps in Connecticut.<sup>18</sup>

Ingersoll had written against the principle of taxation by Parliament, but believed that once the tax had been imposed it would be accepted by the colony. When it was passed, the Governor and his party accepted it as an inevitability. Governor Fitch, in a letter to Richard



Jackson, summed up the official attitude by writing: "If notwithstanding all that can be said . . . Parliament in their superior wisdom shall judge it expedient to and accordingly do pass an act . . . we must submit. We never pretended in the least to Question whether Acts of Parliament expressly extended to the Plantations are binding but always submit to them as binding."<sup>19</sup> It became clear almost immediately that this expression did not coincide with the reactions of all elements in Connecticut society.<sup>20</sup>

### *The Rise of the Radicals*

The radicals had already begun to prepare the residents of Connecticut for the battle that was to come. They convinced many that they were the guardians of liberties and carried their story in the press throughout the state. As a state of tension seized the state, more positive steps were taken to exhibit opposition to the imposition of taxes. When the people of Windham learned that Nathaniel Wales had been named an assistant distributor of stamps, they warned him not to accept the office. Wales wrote Ingersoll that a thousand pounds would not tempt him.<sup>21</sup> Ingersoll himself was burned in effigy, and, in some quarters, an attack on his person was feared.<sup>22</sup> The zeal for liberty was overflowing and Jonathan Trumbull appealed to Governor Fitch to call a special session of the General Assembly.

The news of the special session prompted the radicals to attempt to force the resignation of the stamp collector. Ingersoll had determined not to succumb to a force which he felt was not representative of the people. He pointed out that the General Assembly in the May session had not been opposed to the Stamp Act. He urged the people to be calm and assured them that he would not serve against their wishes. As a precautionary measure, the stamps designed for Connecticut were ordered held in New York until further notice. Ingersoll was informed that groups of men were congregating in the eastern part of the state as a preliminary to marching on New Haven to demand his resignation. Thus, when Governor Fitch went through New Haven on September 17th on his way to the special session of the General Assembly, Ingersoll sought his protection. It was agreed that the Sons of Liberty should be prevented from coming to New Haven, and it was arranged that Ingersoll should go to Hartford to meet with the Assembly.<sup>23</sup>

At Wethersfield, Ingersoll's journey was interrupted by five hundred horsemen, later increased to one thousand, who demanded his resignation as stamp distributor. When Ingersoll requested that he be permitted to gather the sense of the government, the reply came: "Here is the sense of the government and no man shall exercise that office."<sup>24</sup> A committee retired to a tavern to talk things over with the stamp master. Any proposed compromise, even though approved by the committee, was promptly rejected when presented to the crowd for approval. Nothing was acceptable, except absolute resignation. Friends of the Sons of Liberty in the General Assembly sent word that the Assembly could not proceed until the Sons came to terms with Ingersoll. Amidst the growing impatience of the crowd, Ingersoll resigned his post. After a dinner to confirm the action, he proceeded to Hartford accompanied by a retinue of 1,000 Sons of Liberty and reread the Wethersfield declaration.<sup>25</sup>

The special session of the Assembly was a test of strength between the Governor and his party and the Sons of Liberty. The latter were primarily responsible for the special session. The members were able to agree that delegates should be sent to the Stamp Act Congress to join in preparing "a general and united, dutiful, loyal and humble representation . . . to His Majesty and the parliament, and to implore relief."<sup>26</sup> The Assembly was sufficiently cautious to direct the delegates to take care not to forge an agreement with the other commissioners which would bind Connecticut to a majority vote of the group.<sup>27</sup> It seemed that Connecticut was not going to be lured into any ill-conceived revolutionary act by patriotic enthusiasts. Opposition to the stamp act was general; acceptable limits of opposition were less consistently defined. At this time, the Sons of Liberty seemed to exceed the generally acceptable limits, however, for they seemed to pose a threat to general property rights by their assembling and demonstrating. Carefully waiting until the radicals had dispersed, the Assembly directed the Governor to issue a proclamation ordering all proper officers to endeavor to prevent such riots and tumultuous actions as those lately experienced against the laws of the colony.<sup>28</sup>

The next regular session of the Assembly revealed a lessening of the prestige of the Governor and his party. The Assembly approved



the resolutions of the Stamp Act Congress and resolved never to recede from these principles. The mother country was warned of the fatal consequences which would result to both the colonies and Great Britain if the latter persisted in the exercise of its parliamentary power.<sup>29</sup> Governor Fitch made his position more untenable by urging the Assembly to punish those who had detained Ingersoll at Wethersfield and by his repeated warnings of the dangers which beset the colony, particularly in regard to the charter, if the Assembly persisted in challenging the rights of Parliament.<sup>30</sup> Yet, Governor Fitch was reluctant to take the oath binding him to carry out the provisions of the Stamp Act, although he had been directed to take this by November 1 under penalty of £1,000 sterling and loss of office. The Governor delayed his decision until the very last, but, in the face of the unwillingness of the lower house to advise him in the matter, he decided to take the oath in the presence of his assistants. After a long debate which followed this decision, the assistants from the east side of the river withdrew, declaring they could not witness the oath since they judged it unconstitutional. The four assistants who remained when the oath was executed, together with Fitch, committed political suicide.<sup>31</sup>

Even before the election in the following Spring, the effective government of the colony passed into the hands of the radicals. During this period the government of towns and colony was superseded by an extra-legal force. Policies were made at popular meetings. For months after the passage of the Stamp Act, no courts of justice operated in Connecticut except in criminal matters, since no civil case could be settled without the use of stamps.<sup>32</sup> Ingersoll summarized the spirit of the time with the observation that "no one dares, and few in power are disposed to punish any violence . . . the springs of government are broken and nothing but Anarchy and Confusion appear in prospect."<sup>33</sup>

The radicals, however, moved to gain control of the official reins of government. A meeting of the Sons of Liberty was called for March, 1766, in Hartford. This has been referred to as the first nominating convention held in the state. The delegates to this meeting approved the resolutions of 1765 against the Stamp Act, applauded the spirit of liberty in the other colonies and named a committee of correspondence to consist of Israel Putnam, John Durkee, Hugh Leslie, Thaddeus Burr,

John Sturgis, Samuel Bradley, Jr., John Brooks, and LeGrand Cannon. Too, the spectators were asked to withdraw and the delegates were called into secret session. It was explained that because of the dissatisfaction within the colony, they were to decide whether it might not be necessary for there to be a change in the ministry. To assure the election of certain candidates, it was sought "to collect the Minds of the People, for Unity, and by that Means be able to give the Freemen a Lead in the ensuing election."<sup>34</sup> In the May election William Pitkin, who had been Deputy Governor, was elected Governor and Jonathan Trumbull was elected Deputy Governor. Although the proposal to select nominees for the Council met with too much opposition to be accomplished, not one of the assistants present when Fitch had taken the oath to enforce the Stamp Act gained reelection. Concurrently with this success, news came of the repeal of the Stamp Act. Inhabitants of New Haven were awakened on the morning of May 19th by the banging of flintlocks, the ringing of bells and the boom of cannon. There were celebrations in New Haven and Hartford and a general feeling of relief.<sup>35</sup>

The success of the radicals and the repeal of the Stamp Act did not result in the elimination of internal tensions. The differences between the Connecticut radicals and conservatives continued. Jackson reiterated to Pitkin, Lord Hillsborough's lack of regard for Connecticut's traditional self-government. Concern was increased when it was learned that an order in council had revived an appeal of the Mohegan Indians against the holders of land in eastern Connecticut and with the receipt of General Gage's request that the colony billet British troops. Gage was piqued when Pitkin refused without the approval of the General Assembly. This conditional refusal was tempered with more caution than that exercised by the other colonies who had responded with absolute refusals and Connecticut's agents sought to turn this to the colony's advantage.<sup>36</sup>

### *Taxes and Imports*

Great Britain was unrelenting in her insistence that Parliament had the right to tax the colonies. Lord Townshend, in a reference to America in February, 1767, did not acknowledge any distinction between internal and external taxes, describing this as a distinction without a



difference. "It is perfect nonsense. If we have the right to impose one we have the other."<sup>37</sup> Johnson did not anticipate a direct attack upon the charter, but rather was of the opinion that by general regulations the universal liberties of America would be endangered, and, in effect, the charter would be rendered useless.<sup>38</sup> Townshend suggested that all of the colonies contribute a more reasonable share to the support of the troops in America, and on June 29, 1767, a new revenue act was passed which provided that all the colonies pay import duties on glass, lead, painted colors, tea, and paper, effective June 29, 1767. The revenues were not to be used for support of troops specifically, but, it was believed, would constitute an even greater transgression upon Connecticut principles. The monies were to be used in the administration of justice and would, in the opinion of Johnson, render the justices independent of the people, but dependent upon the crown. "The Governors would be rendered independent of the people and wanting no support from them will have very little inducement to call the assemblies together, and it may be feared very soon, the King's government will all become sinecures for the support of the King's administration here."<sup>39</sup>

Reaction against the Townshend duties developed rather slowly in Connecticut, starting in Boston and spreading through New England town by town. Town meetings became stages for protest. Instead of properly confining themselves to prudential concerns, according to a report of the American Board of Customs Commissioners to the Treasury in February, 1768, they were converted to political ends. At these meetings, reported the Commissioners, "the lowest Mechanics discuss the most important points of government, with the utmost freedom, which being guided by a few hot and designing men became a constant source of sedition."<sup>40</sup> Johnson was completely out of sympathy with these methods, as were the officers of the Crown. These deplored such attempts to "carry all their points by violence and tumult."

Official reaction of the colony of Connecticut was contained in a petition, in which there was admission of due subordination to Parliament, but which was sent directly to the King lest a petition to Parliament be construed as tacit admission of its power to tax the colony. By this, however, Connecticut taxed parliamentary tolerance. The act was interpreted as "trampeling upon the poweres of parliament." Hills-

borough informed Johnson that "you mistake too in petitioning the King alone. . . . He cannot you know well enough repeal the acts of parliament; and we understand why you take the step; but let me tell you it will only serve to excite the indignation of parliament, before whom I expect the petition will be laid by His Majesty. What will be done I do not know; but depend upon it parliament will not suffer their authority to be tampered with."<sup>42</sup> The contest had become pointed. There would be no repeal of the Townshend Acts until the authority of Parliament was recognized. In the meantime, the acts would be enforced in the most effectual manner possible.<sup>43</sup>

The petition to the King, substantively speaking, was moderate enough, but, in letters to Connecticut agents, the Governor revealed the temper of the times more accurately. To Johnson, he stated that "oppressive measures will break the coalition" of the colonies and the home government. He suggested that the only way to preserve the empire was to see that "the colonies are treated friendly and indulged their freedom." In a long letter to Jackson he outlined the political and economic effects of the acts.<sup>44</sup>

Protests and rioting proved of no avail, but there was another way in which the colony could indicate its displeasure—commercial retaliation. Boston and New York merchants had agreed in the Spring of 1768 not to import English goods, but Connecticut did not follow this example until the July of the next year. It was said that the merchants were "sacrificing their private fortunes to the cause of liberty."<sup>45</sup> Nevertheless, the non-importation was not adhered to as strictly as desired by a Son of Liberty, who charged that, despite all of the talk, the seaport towns were full of English goods. It was claimed that eventually the vessels brought in every article which could be named and that merchants' shelves were stocked with the prohibited goods.<sup>46</sup> The retaliation was effective enough, however, to strain any tolerance which might have prevailed in England.<sup>47</sup>

To make the non-importation agreements more effective, colonial manufacturing was encouraged. A meeting of colonists with trading interests was called for Middletown in February, 1770. This was attended by the principal merchants of the colony. A society for the promotion of the arts, agriculture and manufacturing, trade and commerce



was organized. Friends in England felt that it was just that the colonists should develop manufactures, but asked that they not make such a parade of their efforts. Johnson warned against such manifestations, but the spirit of resistance was rising and it was easy to dismiss the advice of one who, although an honored and respected servant of the state, was known to be conservative, at least, in his views, if not loyalist in his sympathies.<sup>48</sup>

The five percent import duty, levied by Connecticut concurrently with the framing of the formal petition to the King, threatened to become an issue with the officers of the Crown. The bill was cleverly drawn. On casual reading it would seem designed to protect Connecticut merchants from those of neighboring colonies who sold on the Connecticut market without contributing to the colonial treasury through taxes or in any other way. Yet the bill was actually intended to include all goods which were imported into the colony. Jonathan Trumbull stated clearly to Johnson that British goods were not distinguished: "North American and West India merchandise and wares were equally liable under the law." Complaints against the act were brought to the attention of the Crown's officers and were scheduled for a hearing before the Board of Trade, in the expectation that the colony would repeal the duties. This was done in 1771.<sup>49</sup>

The Townshend Act was maintained long after it proved to be ineffective and for reasons other than revenue. Hillsborough had said as early as the Summer of 1768 that it had been agreed that the acts would be repealed, but that colonial resistance had made it impossible.<sup>50</sup> Hillsborough reiterated this in October of the same year. If Connecticut had but petitioned on the ground of inexpediency, the request could have been granted, he said, but as long as the colony called into question the right of Parliament to tax, Parliament could not hear.<sup>51</sup> While repeal was expected almost any day, the issue became snarled in British politics. It became an instrument whereby the Rockingham party, which was usually favorable to the American cause, could embarrass the party in power and hope, thereby, to force a change in the ministry.<sup>52</sup> No sooner had Parliament recessed than the council agreed that the Act would be repealed in the next session, but it was increasingly clear that the principle of the right to tax was going to be defended by

continuing the tax on tea.<sup>53</sup> Once it was agreed that the principle would not be abandoned, the repeal came almost with a rush and was accomplished in March, 1769. Johnson thought the British were ready for peace at almost any price. He had observed earlier that to retain a tax on any item was an exercise of the right of taxation and this was a crucial point to the radicals in the colonies.<sup>54</sup>

After the repeal of the Townshend Acts in March, 1769, Connecticut continued to support the non-importation agreements after other colonies had discontinued them. Each of the colonies was critical of the other's actions. New York had been critical of Connecticut's tardiness in adopting non-importation, and, it appears, New York adhered to the agreement comparatively well until the Townshend Acts were repealed. When New York, along with other colonies, resumed importation of goods, Connecticut was vehement in her denunciation of the New York backsliders, who, it was charged, had "prostituted the common cause to the present sordid prospect of a little pelf."<sup>55</sup> Johnson observed that New York's action had the effect of confirming the policy of prudence and firmness of the British ministry, which expected that the other colonies would quickly follow New York's example. The American controversy was regarded as at an end.<sup>56</sup>

In Connecticut, however, the Middletown Resolves of 1770 were repeated and indignation meetings were held in several towns. At these, it was agreed to continue the non-importation agreements. In New Haven, New York merchants were requested to draw out their accounts. Connecticut tavern keepers posted a list of New York importers, and, it was said, refused to give them lodging or entertainment. The non-importation agreement, however, began to collapse by 1771. Connecticut papers conjectured about the benefits which might have resulted from a religious adherence to the program. Continuation meant bankruptcy for all but the richest merchants, and, so, the patriotic resolves of the merchants disappeared and in their stead were advertisements of English goods.<sup>57</sup>

There seemed a possibility of settling the differences between the colonies and Britain amicably during the years 1770-73. The knowledge of the "Boston Massacre," which had occurred on the very day of the repeal of the Townshend Acts, had aroused some feeling in Britain.



In general, however, there was strong sentiment in England that commerce rather than taxation was the way to get the colonies to produce desired revenues. Connecticut seemed to have grown a little tired of the altercations with the mother country.

Conservative forces in Connecticut sought to turn this period of calm to advantage and attempted to return James Fitch as Governor. Fitch did receive a larger vote than at any time since he had been ousted in 1767, yet the effort to elect him was more significant because it identified the hard core of radicalism.<sup>58</sup> The attempt of the radicals to secure the support of the colonial government in the settlement of the western lands further divided the political community.

### *The Opening of Western Lands to Settlement*

The Treaty of Fort Stanwick on November 5, 1768, had been interpreted by the leaders of the Susquehanna Company as a suspension of the Proclamation of 1763 and as an opportunity to establish a permanent settlement in the West. To check such a possibility, the agents of Pennsylvania, at the time of the treaty, had secured a deed to the lands claimed by the Connecticut land company and had induced it to renounce the Lydius deed which they had secured from the Indians in 1754. The favoritism shown in Pennsylvania to large land speculators drove the small farmers of western Pennsylvania to the support of Connecticut settlement. Among the disaffected Pennsylvanians were the hardy Paxtang Boys, who proved themselves a great asset to Connecticut, in the border warfare which followed and which resulted in the permanent possession of the territory by a large number of Connecticut settlers in the Summer of 1771.<sup>59</sup>

To assure the population necessary for the effective settlement of the territory, ingenious land policies had been introduced to attract settlers. The granting of gratuities in excess of the equity in the company was a method introduced in 1762, continued again the following year, and repeated in 1768. A gratuity of five towns, ten miles square, was granted to 240 settlers. The forty firstcomers were to have their choice of towns and the next 200 were to take the remaining towns. Additional shares were given to individuals who performed particular services for the colony or who were believed to be capable of being

of special assistance. The land was distributed according to Connecticut custom. The responsibilities of incorporator, as in colonial times, was assumed by a committee of fifteen. The practice of sizing was followed to assure an equitable distribution of land in consideration of quality and quantity. Julian Boyd describes this method as "without question, the most equitable and democratic method of land division that has ever been developed in this country."<sup>60</sup>

In 1771, there was a new attempt to get the colony to assert its authority over the western territory. The lower house of the General Assembly, in 1769, had been unwilling to assume the responsibility for releasing titles to the land to which some alleged that it had title. Two years later, in the May session of the Assembly, it was agreed that the land was "well contained within the boundaries and descriptions of the charter" and the evidence relating to the colony's title was collected and transmitted to England.<sup>61</sup> The legislature still refused to act upon a request to assume authority over the western lands until a report was received from England in 1773 which did not oppose Connecticut's claim. Upon the insistence of Trumbull in the October session of the Assembly, a committee was then named and instructed to attempt to reach an agreement with Pennsylvania. When this failed, a special session of the General Assembly was called in January, 1774. At this the colony extended its jurisdiction to the Susquehanna settlements. The new township was named "Westmoreland" and settlement was limited to those who secured permission from the Assembly. All necessary steps were to be taken to assure Connecticut's title to the land and to present the situation properly to the Crown.<sup>62</sup>

The passage of this act was the signal for the revival of the political antagonisms which characterized the heated discussions which had grown out of the Stamp Act and the election of 1766. In general, the factions could be identified as the radical and conservative forces of that era. The personalities so aligned carried on the controversy through pamphlets, newspapers, and private correspondence. The conservatives contended that the western claim would jeopardize the charter, charged the legislators who held stock in the company with political immorality, argued that costs would be excessive, and accused the expansionists of wishing to accumulate wealth quickly at the expense of the colony.<sup>63</sup>



The radicals were quick to pronounce their opponents "the conservative, pro-British 'old party' who hoped to capture control of the Colonial government."<sup>64</sup> These were the same men, it was charged, who were willing to give away the colonists' natural rights during the Stamp Act controversy under the pretense of saving the charter. Now, "the same men and their tools [are] as willing to give away a part of our colony . . . as they were all our rights and privileges."<sup>65</sup>

In an intense effort to reverse the Assembly's decision, the Conservatives asked the towns to elect delegates to meet at Middletown on the last Wednesday in March. Residents of towns throughout the state met to consider "the very alarming condition" stemming from the colony's claiming the Susquehanna lands. Representatives from 23 towns met in Middletown on March 30. The convention petitioned the next assembly to reconsider its actions on the Susquehanna question and to exclude the members of the company from voting. A slate of candidates was named, too, to oppose the radical party. Tensions mounted until the very day of the election when the freemen rejected the conservatives and continued the radicals in power. Immediately, then, the colony requested officers of the Crown to settle the dispute between Connecticut and Pennsylvania. The Crown, however, was by this time enmeshed in the larger question of the general relationship of the colonies to the Crown. The final determination of the intercolonial aspect of the western claims question was held in abeyance, but the victory of the radicals on this point meant that they would be in power as Connecticut turned to the consideration of the more momentous problem of general relationship.<sup>66</sup>

### *The Move Toward Revolution*

A calm seemed to characterize British-Connecticut relations after the Townshend Acts had been repealed, although the three pence tax on tea had been retained. Although this was considered to violate the principle of taxation without representation, merchants who did not adjust to it learned to avoid the tax by smuggling. The equilibrium was threatened, however, in 1773, when Parliament granted to the East India Company the privilege of importing tea, duty free. The extension of this special privilege to the East India Company meant ruin for the

merchants. Yet, there were no indications of militant action, although there was an apparent determination not to buy tea. The suggestions of the radicals to organize for action went unheeded in Connecticut. Overt action in the colonies was limited to the resistance of the residents of Boston to the landing of the tea. When the Bostonians took the law into their hands and dumped the tea into the harbor, reaction was mixed. Men of property saw in this action a challenge to their own position and condemned the action. William Samuel Johnson lamented the failure of the colonies and Great Britain to solve the difficult problem of the rights of Parliament. Only the radicals exhorted the people to act. No tea had been landed in Connecticut, and the temper of the colony, if judged by the election sermon of 1774, was one of cautious waiting.

The colony's reaction was sharp and immediate, however, when Parliament passed coercive acts designed to vindicate its authority by punishing Boston. For the rights of a neighboring colony to be swept away by an act of Parliament was comprehended as a direct threat to Connecticut's treasured charter. At town meetings in the eastern part of the state, resolutions were made to refrain from trade with Britain, if necessary. Fiery articles in newspapers shouted resistance: "Join or Die" and "Unconquered America" were among the burning captions. The people of Farmington elaborately tarred and feathered and then burned in effigy the Massachusetts Tory Governor and, also, a copy of the Port Bill. A liberty pole was set up and the King's ministers were cursed as pimps and parasites. In addition, sheep and cattle were sent to port-closed Boston.<sup>67</sup>

The General Assembly condemned the coercive acts. The removal of a person for trial to England and the closing of the ports in Boston were declared to be subversive to the rights of Englishmen. The establishment of admiralty courts vested with powers not subject to the common law of the colony was declared to be destructive of trial by jury. There was caution in the Assembly, however. These resolutions were simply filed as a part of the records of the Assembly. It may have been that the power to name delegates to the Continental Congress was delegated to the Committee of Correspondence to minimize the importance of this step.<sup>68</sup>



By selecting delegates in this way Connecticut contributed to the extra-legal nature of the convention. The delegates chosen from Connecticut were more representative of the radical elements of society than of the conservative. Richard Law and Erastus Wolcott had refused to attend on the grounds of ill health. Johnson refused the appointment ostensibly for business reasons, but possibly because he was aware that conservatives were unpopular and was dedicated to keeping the ardour of his country within bounds. Roger Sherman and Joseph Trumbull, who replaced those who refused, together with Eliphalet Dyer and Silas Deane represented the element most adamant in opposition to Parliament.<sup>69</sup> The Congress passed a Declaration of Rights and Grievances in which they denied the taxing power of Parliament. They also adopted a series of retaliatory measures against the coercive acts which called for the non-importation and non-consumption of British goods. A system of inspection in every town was devised to enforce the boycott. Lists of merchants who violated the measures were to be published. imports in violation of the acts were to be confiscated, and frugality was to be encouraged and every form of dissipation and extravagance disallowed. This "memorable league" of 1774 expressed the spirit of the times, and, perhaps, carried the people farther along the road of revolution than they intended.<sup>70</sup>

Steps had already been taken in Connecticut to insure the success of these measures. The delegates in Philadelphia were informed of a meeting of representatives of New London and Windham where it was recommended that the towns and the provincial government take immediate steps to meet any military emergency. Delegates from Hartford, New London, Windham, and part of Litchfield met on September 15, on call of Hartford's Committee of Correspondence and announced their belief in the "absolute necessity of a non-consumption agreement," and stated that if the Continental Congress failed to achieve such agreement, the Connecticut committee promised independent non-consumption of banned goods. When the actions of the Congress were known, the towns not only ratified the proceedings, but supplemented them with detailed procedures for enforcing the rules of the association.<sup>71</sup>

Preparations were being made for war. A general muster of the

militia was ordered in October, 1774, for the fourth Monday of November. It was prescribed that the militia should engage in twelve half-days of training before the following May. Fire arms were to be collected and repaired and the cannon of New London were to be put in order. Bills of credit were issued and a tax assessed to defray expected expenses. The Governor was given the extraordinary power of convening the General Assembly without consulting the Council.<sup>72</sup>

Even so, Connecticut did not abandon customary caution as she approached the break with Great Britain. Trumbull, in a letter to Lord Dartmouth, in March, 1775, stressed that British supremacy and American liberty were not incompatible and considered the interests of the two countries as inseparable. He gave assurances that the colony did not wish to weaken the powers of parliament in matters essential to the welfare of the whole empire, but stated that the unlimited powers lately claimed by the Parliament had driven the people of the colony to the borders of despair. According to Trumbull the colony was at a loss to see how the destruction of the tea of the East India Company could be a just ground for punishing thousands of innocent people who had no hand in the affair or for depriving them of their charter rights.<sup>73</sup> Even after the battle of Lexington and Concord, a special mission was sent to General Gage. The bearers of the message were William Samuel Johnson and Erastus Wolcott, the same who had refused to attend the Continental Congress. Trumbull informed Gage that Connecticut was ready to defend its rights and privileges to the last extremity, but was not sure of all information on affairs and requested that Gage explain his intentions.<sup>74</sup> Johnson and Wolcott left Gage with his reply in which he entreated Connecticut to exercise its influence on the deluded people of Massachusetts and insisted that the resort to arms was only defensive in nature and had been made necessary by unconstitutional acts of Massachusetts. The people of Massachusetts had grown apprehensive, however, of the Connecticut mission and stopped the emissaries on their return. Massachusetts citizens demanded to read the letter from Gage. After some hours, it was returned and Johnson and Wolcott continued to Connecticut, but to find that the revolutionary fever had reached new heights.<sup>75</sup>



## NOTES—CHAPTER XII

- <sup>1</sup> J. P. Boyd, "Connecticut's Experiment in Expansion, The Susquehannah Company, 1753-1803," *Journal of Economic and Business History*, IV, 1931-32, pp. 38-44. For a detailed record of the activities of the Susquehanna Company see Julian P. Boyd, ed., *The Susquehannah Company Papers* (Wilkes-Barre, 1930-34). For a more popular account, see "Susquehannah Company, Connecticut's Experiment in Expansion," Conn. Ter. Comm. Publ. (New Haven, Conn., n.d.), by the same author.
- <sup>2</sup> *Ibid.*, pp. 16-19.
- <sup>3</sup> *Ibid.*, pp. 19-24.
- <sup>4</sup> *Ibid.*, pp. 24-25.
- <sup>5</sup> *Ibid.* p. 25.
- <sup>6</sup> *Ibid.*, p. 26.
- <sup>7</sup> *Conn. Col. Rec.*, XII, p. 240, note; Lawrence Henry Gipson, *Jared Ingersoll, A Study of American Loyatism in Relation to British Colonial Government* (New Haven, Conn., 1920) pp. 112-14.
- <sup>8</sup> *Ibid.*; Oscar Zeichner, *Connecticut's Years of Controversy, 1750-1776* (Williamsburg, Virginia, c. 1949) (published for the Institute of Early American History and Culture) pp. 45-46.
- <sup>9</sup> *Ibid.*, p. 46.
- <sup>10</sup> Lawrence Henry Gipson, "Connecticut Taxation, 1750-1775," Conn. Ter. Comm. Publ. (New Haven, Conn., n.d.), pp. 23-35.
- <sup>11</sup> Gipson, *Ingersoll*, p. 120.
- <sup>12</sup> Gipson, *Ingersoll*, p. 125.
- <sup>13</sup> *Ibid.*
- <sup>14</sup> *Conn. Col. Rec.*, XII, p. 256.
- <sup>15</sup> "Reasons Why the British Colonies in America Should Not Be Charged With International Taxes by Authority of Parliament, Humbly Offered for Consideration in behalf of the Colony of Connecticut," *Conn. Col. Rec.*, XII, pp. 651-72.
- <sup>16</sup> *Ibid.*, p. 256.
- <sup>17</sup> Gipson, "Taxation," pp. 35-38.
- <sup>18</sup> Gipson, *Ingersoll*, pp. 126-40; Zeichner, *Years of Controversy*, p. 49.
- <sup>19</sup> Fitch to Jackson, February 23, 1765, *Collections*, Conn. Hist. Soc., XIX, p. 273.
- <sup>20</sup> Zeichner, *Years of Controversy*, p. 50.
- <sup>21</sup> Gipson, *Ingersoll*, pp. 16-68, 68, note 1.
- <sup>22</sup> *Ibid.*, p. 168; Zeichner, *Years of Controversy*, p. 52.
- <sup>23</sup> Gipson, *Ingersoll*, pp. 168-88.
- <sup>24</sup> *Ibid.*
- <sup>25</sup> Gipson, *Ingersoll*, pp. 168-88.
- <sup>26</sup> *Collections*, Conn. Hist. Soc., XIX, pp. 409-11.
- <sup>27</sup> *Ibid.*
- <sup>28</sup> *Conn. Col. Rec.*, XII, 411; Gipson, *Ingersoll*, p. 167.
- <sup>29</sup> *Conn. Col. Rec.*, XII, pp. 421-22.
- <sup>30</sup> Zeichner, *Years of Controversy*, pp. 56-57; Gipson, *Ingersoll*, p. 190.
- <sup>31</sup> *Ibid.*, pp. 190-91.
- <sup>32</sup> *Ibid.*, p. 195; Zeichner, *Years of Controversy*, pp. 61-66.
- <sup>33</sup> *Ibid.*
- <sup>34</sup> Gipson, *Ingersoll*, p. 219, also, 218.
- <sup>35</sup> *Ibid.*, pp. 224-25.
- <sup>36</sup> *Collections*, Conn. Hist. Soc., XIX, pp. 63, 65-67, 71, 82; Zeichner, *Years of Controversy*, pp. 77-79; Gipson, *Ingersoll*, pp. 239-41; *Conn. Col. Rec.*, XII, 545, 607-608.

- <sup>37</sup> Johnson to Pitkin, Feb. 12, 1767, *Collections*, Mass. Hist. Soc., Ser. 5, IX, p. 215.
- <sup>38</sup> *Ibid.*, p. 178; Johnson to Pitkin, May 16, 1767.
- <sup>39</sup> *Ibid.*, p. 259, Johnson to Pitkin, July 13, 1767.
- <sup>40</sup> Gipson, *Ingersoll*, p. 270.
- <sup>42</sup> Johnson to Pitkin, July 22 and October 20, 1768, *Collections*, Mass. Hist. Soc., Ser. 5, IX, pp. 289-98; George C. Groce, Jr., *William Samuel Johnson* (New York, 1937) p. 74.
- <sup>43</sup> *Ibid.*
- <sup>44</sup> Zeichner, *Years of Controversy*, pp. 84-85.
- <sup>45</sup> *Ibid.*, p. 85.
- <sup>46</sup> Gipson, *Ingersoll*, pp. 276-79; Zeichner, *Years of Controversy*, pp. 85-86; Groce, *Johnson*, pp. 76-77.
- <sup>47</sup> Johnson to Pitkin, Oct. 20, 1768, *Collections*, Mass. Hist. Soc., Ser. 5, IX, pp. 295-99.
- <sup>48</sup> *Ibid.*; Zeichner, *Years of Controversy*, pp. 85-86; Gipson, *Ingersoll*, p. 276.
- <sup>49</sup> *Conn. Col. Rec.*, XIII, 74-76; Johnson to Trumbull, Jan. 2, 1770, *Collections*, Mass. Hist. Soc., Ser. 5, IX, pp. 392-97; Trumbull to Johnson, Mar. 3, 1770, *ibid.*, pp. 419-20; Jackson to Trumbull, Mar. 18, 1770, *ibid.*, p. 428.
- <sup>50</sup> Johnson to Pitkin, July 23, 1768, *ibid.*, p. 294.
- <sup>51</sup> *Ibid.*, Oct. 20, 1768, p. 296.
- <sup>52</sup> *Ibid.*, Apr. 26, 1769, pp. 334-42.
- <sup>53</sup> *Ibid.*, May 25, 1769, pp. 346-50.
- <sup>54</sup> *Ibid.*, Sept. 18, 1769, p. 358; May 28, 1769, p. 350.
- <sup>55</sup> Gipson, *Ingersoll*, pp. 285-86.
- <sup>56</sup> Johnson to Trumbull, Aug. 20, 1770, in *Collections*, Mass. Hist. Soc., Ser. 5, IX, pp. 445-52.
- <sup>57</sup> Zeichner, *Years of Controversy*, pp. 86-89; Gipson, *Ingersoll*, pp. 286-89.
- <sup>58</sup> Zeichner, *Years of Controversy*, pp. 122-27.
- <sup>59</sup> Boyd, "Connecticut's Experiment in Expansion," pp. 47-48.
- <sup>60</sup> Julian Parks Boyd, *The Susquehannah Company: Connecticut's Experiment in Expansion*, Conn. Ter. Comm. Publ. (New Haven, Conn., n.d.), p. 33.
- <sup>61</sup> *Conn. Col. Rec.*, XIII, 427.
- <sup>62</sup> *Ibid.*, XIV, 161-62, 217-19; Zeichner, *Years of Controversy*, p. 145; Boyd, "Connecticut's Experiment in Expansion," pp. 50-60.
- <sup>63</sup> *Ibid.*, pp. 61-63; Zeichner, *Years of Controversy*, pp. 146-49.
- <sup>64</sup> *Ibid.*, p. 150.
- <sup>65</sup> *Ibid.*, p. 151.
- <sup>66</sup> *Ibid.*, pp. 151-54.
- <sup>67</sup> Groce, *Johnson*, p. 98; Zeichner, *Years of Controversy*, pp. 163-64.
- <sup>68</sup> *Conn. Col. Rec.*, XIV, pp. 261, 324, 347-50.
- <sup>69</sup> *Ibid.*, p. 324; Groce, *Johnson*, p. 98; Zeichner, *Years of Controversy*, p. 165.
- <sup>70</sup> Groce, *Johnson*, p. 102; Lewis Henry Boutell, *The Life of Roger Sherman* (Chicago, 1896) pp. 84-85.
- <sup>71</sup> Zeichner, *Years of Controversy*, pp. 179-82.
- <sup>72</sup> *Conn. Col. Rec.*, XIV, pp. 327, 346, 386.
- <sup>73</sup> *Ibid.*, pp. 410-13.
- <sup>74</sup> *Ibid.*, p. 416, 440-41.
- <sup>75</sup> Groce, *Johnson*, pp. 102-103.



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## Chapter XIII

### Connecticut in the Revolution

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**C**ONNECTICUT RESPONDED unhesitantly to the immediate demands of the Revolution. In the formal actions to effect independence and confederation, she moved with, if not ahead of, the spirit of the times. Her relative security enhanced her importance as a base of supply; but because of the apparent vulnerability of her coastline, the state's demands for protection frequently ran counter to the plans made for the conduct of the war. Connecticut managed the home front with characteristic ability. She cooperated with the federal congress and other states in establishing embargoes and price controls. After the break of a first wave of hate, a liberal policy was adopted toward the Tory for the protection of his person. However, by the confiscation of the estates of Tories, they were unwilling contributors to the financing of the Revolution. The state managed its currency with consummate skill, and, as in previous wars, Connecticut emerged from the Revolution in a better economic position than when she entered it.

The news of Lexington and Concord quickly spread from town to town after it reached Norwich on April 20, 1775. Governor Trumbull immediately dispatched a courier to apprise Israel Putnam, Connecticut's foremost soldier, of the news. It is said he left his plow in the field and, within 18 hours, arrived in Boston. After gaining first hand information of the incident, he returned to Connecticut to advise the General Assembly on the condition of affairs.<sup>1</sup> Benedict Arnold boldly defied the selectmen of New Haven by demanding the keys to the powder house, and, with his company of militia and some enthusiasts from Yale, set off for Cambridge.<sup>2</sup> Ethan Allen hurriedly returned to Bennington

to await news from Hartford of Connecticut's support of a western campaign.<sup>3</sup> The Sons of Liberty held British sympathizers up to scorn and local communities generally showed intolerance of loyalists.<sup>4</sup>

The revolutionary spirit ran high in the special session of the General Assembly in April, 1775. The election sermon of the Reverend Joseph Perry was peppered with references to "absolute despotism," "cruel tyranny," and "total slavery," and, as Zeichner points out, "of course" held up the spectre of "the destruction of the Protestant churches."<sup>5</sup> Governor Trumbull presented the issue as the choice between subjugation and slavery.<sup>6</sup> The Assembly took steps for the defense of the colony and for assistance to Massachusetts. Connecticut was placed on a war basis by an embargo on essential foodstuffs, a grant of bounties for fire arms, the issuance of bills of credit, and the levy of a tax of seven pence per pound on the rateable estates of the colony. Although there is a suspicion that the state could not at any time have raised the full numbers authorized, the organizational strength of the militia was fixed at about 20,000. Two additional regiments organized in July brought the total number of regiments to eight. Three of these were assigned to the Northern Department and five were dispatched to Boston where they assisted in thwarting the British at Bunker Hill.<sup>7</sup>

In Boston, with his Connecticut regiment, Israel Putnam urged the occupation of Bunker Hill, which precipitated the decisive action. "Old Put" was not only the oldest of the Connecticut commanders, but also the most colorful. Legends of heroics had grown up about him as he served almost continuously in the French and Indian War and participated in numerous expeditions to the West. When he returned to his farm at Pomfret at the conclusion of Pontiac's uprising, he had become involved in the Stamp Act controversy and had dared Governor Fitch to admit stamps into the colony. It was said that he would lead where any man would follow, and "his reputation for bravery, his rugged character, his democratic manner, his dynamic energy, and his zeal for the American cause commended him to the yeomen of New England."<sup>8</sup> At Bunker Hill, he led his men from the Cambridge Commons, where the troops assembled on June 16th, to an advanced position on Breed's Hill, from which they could command the ships in the harbor.<sup>9</sup> When the British awakened the following morning, they im-



mediately began the attempt to dislodge the colonials from this commanding position and cannonading was followed by assault.<sup>10</sup> Under the continual urging of Putnam, who was serving as aide to Colonel William Prescott in the field,<sup>11</sup> reinforcements were brought up, re-



*(Courtesy Conn. State Lib.)*

WINSTED—REVOLUTIONARY CANNON AT WINCHESTER HISTORICAL SOCIETY, 1936

doubts constructed, positions improved, and the New Englanders were urged to exact heavy payment in lives for any British advance on the hill. Three assaults were made; two repulsed. The battle report might have read "Too many British, too few cartridges." Connecticut officers and troops acquitted themselves commendably and retreated in an orderly manner. As these American forces awaited further British attack, news was received of a thrust at the British in the West.



The assault on Ticonderoga was the result of the planning of two equally restive minds who sought to combine patriotism with glory and, perhaps, with profit. Benedict Arnold, on his way to Cambridge, impressed upon the Committee of Correspondence in Hartford the advisability of an attack on the western fort and Ethan Allen's brother hurried to Bennington to inform Ethan of Connecticut's willingness to supply money and troops for the expedition. Arnold, with a commission from the Massachusetts General Assembly to reduce Ticonderoga, arrived as the expedition was being organized with Connecticut men occupying key positions. Allen had the advantage of men and materials, for Edward Mott had arrived from Hartford, bringing with him three hundred pounds advanced by Connecticut residents. Arnold reconciled himself, nominally at least, to a joint command, and, with Allen, secured the surrender of the fort on May 10. Five days later, Crown Point with its valuable stores was captured by Seth Warner.<sup>12</sup> Both Allen and Arnold viewed this western expedition as a preliminary to a more ambitious attack on Canada. To promote these Canadian plans, albeit independently of each other's effort, Arnold returned to Boston and Allen proceeded to Philadelphia.<sup>13</sup>

In Philadelphia, the First Continental Congress was in session. The membership of the Connecticut delegation changed frequently during the course of the war, but, in 1775, it reflected the influence of the firebrands of the revolution, John Hancock and Sam Adams. Ten days after the battle of Lexington and Concord, these two had arrived in Hartford to consult with Trumbull on the problems of the war. They had continued to Philadelphia with the Connecticut delegates, and, as they passed from town to town in Connecticut, they were greeted by cheering crowds and assured of safe passage to the next. Of the Connecticut delegates, Roger Sherman is identified among the group of delegates who regarded independence as essential, and Eliphalet Dyer voted with this group on critical measures. Silas Deane, however, was willing to "swim with the current" and be identified with the moderate majority. When the Congress assembled in 1775, independence was still a year away. Yet, Congress committed itself to the prosecution of a war although in the minds of some it was to be a defensive operation.<sup>14</sup>

As in any other controversy involving the British colonies in North



America, Canada was important to the relative balance of strength and its acquisition was recognized to be of immediate and immeasurable importance. It was believed that a victory would unite the thirteen colonies into an indissoluble union. "To whomsoever it belongs," wrote Washington, "in their favor probably will the balance turn." It was planned, then, that the main Continental force, which included the Connecticut troops raised by Allen, would proceed by the way of the lakes up the Saint Lawrence. General Schuyler commanded these troops until replaced by his deputy, Brigadier General Richard Montgomery. A second expedition, independent of continental command, was to proceed through the Maine woods as a diversionary force. Washington recognized in Benedict Arnold a temperament and ambition suited to this hazardous journey.<sup>15</sup> Arnold left in mid-September, and, in spite of being delayed by the rapids of the Kennebec, dispirited by the shortage of food, and infected with dysentery, his troops fought their way through the wilderness and down the churning waters of the Chaudière. They arrived before Quebec in the first part of November to find that the main force had been delayed. Arnold, therefore, retreated several miles from Quebec, where the union with Montgomery was effected on December 1. This and subsequent delays were costly. When the attack was made on December 31, the British had greatly strengthened the garrison and the prize which might have been gained was lost. The army retreated to reorganize and requested reinforcements from New England. Connecticut had anticipated this need. By mid-March fresh troops began to arrive, yet they were too few and too late. Hopes of an intensive attack lingered, and Connecticut's General Wooster, who had succeeded Arnold and who had proved ineffectual, was replaced. Yet, it was necessary to order a general retreat during the first week in May, 1776, without achieving the alternative to a hazardous and bloody war.<sup>16</sup>

Meanwhile, the need to dislodge the British from Boston became pressing. Since assuming command of the American forces in July, 1775, Washington had reorganized the army and had supervised the erection of a fortification on Cobble Hill which was occupied by about 1,000 men of the Connecticut line under the command of Israel Putnam. From here a bombardment was begun which served to cover the erection by the colonials of a ring of fortifications on the Dorchester Penin-

sula. It was feared that the British would attack at dawn on the sixth of March when the tide was low. However, a violent storm made any such attempt impossible. Instead of an attack, the news came on March 8 that Howe intended to quit the city. This seemed uncertain, although the city appeared to be in confusion, and colonial forces continued to improve their fortifications and occupied the advanced position of Nook's Hill on the night of the sixteenth. The next day, the troops at Dorchester Heights watched the British vessels sail down the river. Boston had truly been evacuated. With it secure, Washington turned his attention to the situation in New York.<sup>17</sup>

The importance of New York in the maintenance of a unity of colonial effort had been recognized early. The Hudson offered a broad avenue down which the British could float to attack the city, and, with success, divide New England and Southern efforts at opposition. With the failure of the Quebec expedition, which would have hindered the British from using their navy against New York, a plan had been advanced for its defense by General Charles Lee. John Adams had been enthusiastic about Lee's suggestion to recruit volunteers in Connecticut for New York's defense and had declared that the people of Connecticut "are very ready upon such occasions."<sup>18</sup> Lee, in fact, had recruited about 1,200 men "whose zeal and ardor," he reported, "cannot be sufficiently praised."<sup>19</sup> However, the opposition of the Provincial Committee of Safety of New York and the unwillingness of an indecisive Congress to force the hand of the Tory-infested city had resulted in Lee's being relieved of his command and in New York's being left unprotected.<sup>20</sup> After the British evacuation of Boston, the probability of an attack on New York increased.

Washington wrote Trumbull asking him to supply 2,000 emergency troops to help hold off the British until the army could arrive from Cambridge<sup>21</sup> and immediately made preparations for the shift of the army to New York. Three contingents passed through Connecticut, and, when they arrived in New York, were all placed under the command of Israel Putnam until Washington himself arrived on April 13.<sup>22</sup> The build-up of British forces in New York was slow, but with the return of Sir Henry Clinton from the South on August 7, it was evident that the British were planning to make a strenuous effort to divide the



colonies. Five regiments of Samuel Parsons' Connecticut Brigade were readied to meet the attack, and, on the 26th, Putnam was on Long Island observing the defenses. The attack began the next day.<sup>23</sup>

To check the attack, the destruction of British naval vessels was attempted. The apparatus utilized could be submerged by an intake of water and surfaced by expelling water through pumping. The inventor of this first American submarine was David Bushnell of Saybrook, who, while at Yale, had conceived this as a means of blowing up the British fleet. Success depended upon driving a set screw into the bottom of the target ship. To the screw was to be attached a magazine to be set off by a timing device which started as soon as the magazine was cast from the torpedo boat. On the initial effort, because of the buoyancy of the target, the *Asia*, it proved impossible to drive the screw into the ship's hull. After two hours' effort, since daylight was approaching, the navigator retreated to the American base.<sup>24</sup>

The plan of defense formulated earlier by General Lee and now followed was doomed from the start because of the great discrepancy in the numbers of colonial and of British troops. From the beginning, Howe's skillful maneuvering imperilled the American forces and by mid-September, they had been pushed east of the Hudson. The forces at Kip's Bay, which included five regiments of Connecticut militia, one regiment of Connecticut "levies," and three of the Continental Militia, retreated before a relentless British attack. Only at Harlem Heights did the colonials make an effective stand before the retreat to White Plains, where the troops took up positions in the Highlands north of the town. When it appeared that the British would imperil the whole of the American line, the British turned southwestward, in the direction of King's Bridge, to threaten Forts Washington and Lee. Toward the end of November, Washington led a column of about 2,000 men toward New Jersey. The main body of troops was left to guard the Highlands.<sup>25</sup> The recently declared independence seemed to hang perilously in the balance.

To Connecticut, independence entailed the formalities of separation from Great Britain, but it did not mean a radical alteration in the fundamental basis of government. The colony acted promptly on the proposal that the colonies ought to be free, and, in a special session of

the General Assembly, on June 14, 1776, instructed the Connecticut delegation in Congress to vote for independence and "to move and promote as fast as may be convenient, a regular and permanent plan of Union and Confederation of the Colonies."<sup>26</sup> Troops from Connecticut joined in the rejoicing in New York on the ninth of July when they heard the Declaration of Independence read. In its October session, the General Assembly approved the Declaration and absolved the inhabitants of Connecticut from allegiance to the British Crown. Oaths of fidelity to the state were substituted and made a prerequisite for voting, and all writs were to be issued in the name of the Governor and the Colony. The civil government, however, continued as established under the Charter of 1662. All the laws of the state were to continue in force and the offices of the state remain the same.<sup>27</sup>

The military debacle in the Fall of 1776 confirmed Washington in his earlier conviction that the army must be reorganized on the basis of long-term enlistments. On the very day of the battle of Harlem Heights, Congress passed a series of resolutions calling for the enlistment of 88 battalions to serve for the duration of the war and provided that men already in the service would be counted in their state's quota of these battalions if they committed themselves to enlistment for the duration. Washington told Roger Sherman and the other members of a committee of inquiry into the status of the army of the necessity of improving the quality of officers provided by the states and of the need of a bounty of clothing for the soldiers and of an adequate pay scale for officers. He requested that the states complete their levies by the tenth of November.<sup>28</sup>

Connecticut resolved in the October session of the Assembly to raise the eight battalions requested of it, including four regiments of cavalry, and named a committee to go to Washington's headquarters to consult with him and the general officers concerning the appointment of new officers by the state.<sup>29</sup> Resolutions did not place men in the field, and the first of the eight battalions did not approach readiness until the following March.<sup>30</sup> Moreover, consultation did not secure from Connecticut officers more skilled in the art of command than those who had been serving. Israel Putnam, who had failed, according to Douglas Southall Freeman's evaluation, "to add in the least to the reputation he



had gained at Bunker Hill,"<sup>31</sup> was continued in his command. Generals Samuel Parsons and Joseph Spencer, neither of whom had distinguished himself in military service, were named to the command of the two brigades added.

The strength of the continental forces and the willingness or ability of the states to meet troop quotas were always conditioned by the threats of the enemy, real or imaginary, to the home territory. During the entire war, Washington's fundamental strategic premise was the maintenance of troops in force. Consistently, he maintained as few posts as possible and insisted that the troops be distributed in accord with the general plan of war.<sup>32</sup> Inevitably, this placed him at variance with colonial Governors who had to provide troops to answer alarms in their immediate area. It seemed to New England Governors that Rhode Island was always potentially subject to attack. When, in December, 1776, British ships were sighted off shore, delegates at the convention of New England states, meeting in Providence, determined that a force of 6,000, including three battalions of the continental army, should be maintained in Rhode Island.<sup>33</sup> Connecticut was to contribute 1,092 troops and Major General Joseph Spencer was sent to command the force. It is doubtful, however, if any Connecticut troops other than militia regiments from the eastern part of the state were actually with him, because, in February, Spencer was back in Hartford seeking reinforcements to dislodge the British, and, as late as April, the Deputy Governor of Rhode Island was requesting Connecticut to send the stipulated number of men. Connecticut had indicated its willingness to support the expedition, if other colonies approved, but the expedition was postponed until Fall.<sup>34</sup>

In the meantime, Connecticut faced a danger to her own territory. Danbury had become an important base of supply, partially because it was assumed to be safe from raiders and partly because of its location in relation to upstate New York.<sup>35</sup> Rumors of an impending raid were confirmed by the landing of General William Tryon, the Royal Governor of New York, at Fairfield on April 25, 1777.<sup>36</sup> By steady marching Tryon reached Danbury the next day. Generals Arnold, Wooster, and Sillman of the Connecticut militia took up pursuit. Wooster attacked, fell back, and attacked again to be fatally wounded in the blistering



musketry response of the British. By a series of skirmishes, Arnold attempted unsuccessfully to cut off Tryon's retreat to his ships.<sup>37</sup> A large portion of the stores at Danbury had been destroyed.<sup>38</sup> The raid was



*(Courtesy Conn. Devel. Comm.)*

COVENTRY—NATHAN HALE MONUMENT AND HOMESTEAD

presumed by Connecticut residents to presage a major campaign. The rumor spread that forces were to attack New Haven, New London, and Saybrook and were to join with Carleton's forces moving down from the North.<sup>39</sup> Trumbull sought to have a portion of the continental battalions remain in the state and be provisioned from continental supply bases.<sup>40</sup> Washington had been caught unaware in the Danbury raid and



ordered troops to start for Connecticut.<sup>41</sup> When Tryon retired Washington was convinced that the enemy would make no large-scale movement against Connecticut. Instead of sending troops, Washington reminded Trumbull that the Connecticut battalions were not as yet complete and added that if they were, he "would be glad to send troops to Connecticut." Three days later, in a more conciliatory tone, Washington assured the Governor that "no requisition has more weight with me than yours" and that his inability to grant it had distressed him very much. With equal cordiality, Trumbull acknowledged "the justice and propriety" of Washington's action. The defense of the Hudson was of first importance and troops for its defense had already been detailed.<sup>42</sup>

The critical year of the war was at hand. The entire Spring had been spent in building up the continental forces. General Samuel Parsons gave preference to Washington's requests and all except those who had not had smallpox shots or who were convalescing were pushed on to Peekskill. Washington at first concluded from Howe's movements in midsummer 1777 that he would join with Burgoyne in an attack on Ticonderoga.<sup>43</sup> When Howe's troops did not move, Washington conjectured that Howe might move toward New England as a diversionary attack. Trumbull was authorized to draw upon continental supplies in this event. The actual plan of the campaigns became obvious when news came of the hasty retreat of colonial forces before Burgoyne at Ticonderoga in July and of the withdrawal of Howe to Philadelphia later in the month. As Burgoyne bore down from the North and when Washington's continental forces were severely depleted at the Battle of Brandywine, Connecticut regiments were detached to reenforce both Gates and Washington.<sup>44</sup>

The detachment of Connecticut regiments to Washington prompted Putnam to go over the head of his Commander-in-Chief and appeal to John Hancock. This resulted in one of the most violent command controversies of the war. In a detailed analysis of the issue, Freeman concluded that, probably, Washington was overly cautious concerning the security of his own army. On the other hand, however, Putnam had inaccurately indicated a larger number ready for actual duty than were available. The detachment of troops and the detail of a small force to

White Plains, when Putnam anticipated an attack on New York, severely depleted the defenses of the Hudson. In October, when it appeared that Sir Henry Clinton, who had returned from the Jerseys, was preparing to attack the Highlands and possibly move to Albany to relieve Burgoyne, the forces at White Plains were recalled and reenforcements were requested from the Connecticut militia.<sup>46</sup> Although 1,700 Connecticut militia arrived on October 7, they did not arrive soon enough to stop Clinton's advance nor to prevent his capturing the Highlands and opening the Hudson for the relief of Burgoyne. The British army moved unchecked to Livingston Manor, beyond Albany, where they received news of Burgoyne's surrender. Since their position was untenable, Clinton ordered the retreat to New York.<sup>47</sup>

The defense of the Hudson against Clinton remained the chief occupation of Washington's army during 1779. Enlistments had decreased considerably since the French entered the war. Also, the calling out of the militia, wrote Trumbull, "was a great prejudice to the husbandry," and if the enemy continued in force near Connecticut, he could not promise more than one battalion of militia unless Connecticut could be assured of the assistance of the continental troops.<sup>48</sup> The Commanding General felt that the Army must remain in force in the Highlands to protect the Hudson. Clinton proved Washington right again when in the last of May he came up the Hudson with a force of about 6,000 men and quickly gained possession of the forts at Stony Point and Verplank. As a diversionary tactic, the Coast line was invaded by General Tryon, who landed at New Haven on the morning of July 8th, plundered the city and burned the long wharf. He embarked for Fairfield on the next day and there destroyed almost the entire town. That which was not burned was carried off as plunder. After crossing the sound for supplies, he returned to the Connecticut coast on the 11th to destroy all but a few homes in Norwalk. These depredations enraged the Connecticut people. Not since Lexington and Concord had the war fever been so high. Still Washington felt he could not permit the diversion of large numbers of troops at the risk of endangering the Highlands.<sup>49</sup>

An effective campaign in the Summer of 1780 rested almost entirely on reenforcements from the French. The recruitment of troops had reached a low ebb. Advantage was being taken of the exemption



law of 1777 and almost every fraud to dodge army service was being practiced. The term of the three year men had expired, and, in the absence of a formal request, the Connecticut General Assembly had delayed taking up the matter. The task was made even more difficult by the state's not having paid wages due in a manner satisfactory to the men. The regiments were so defective that news of the arrival of the hoped-for French troops off the coast of Newport was embarrassing and there was uneasiness lest the inability or unwillingness of the states to provide their quotas shake the confidence of the allies. The force of 5,000 with Rochambeau was far less than had been anticipated and when the much-needed arms and powder did not arrive at all, the plans for a campaign were cancelled.

The presence of the French increased the difficulty of supply. The French bought large supplies of staples on the Connecticut market offering gold in payment. By mutual agreement, the purchasing of supplies for the French and American army was made the exclusive responsibility and privilege of Jeremiah Wadsworth. To help meet the needs, an embargo on goods transported by land between the colonies was removed to provide for a free flow of goods between the colonies.<sup>50</sup>

Washington came to Hartford to confer with Rochambeau on a combined plan of action.<sup>51</sup> The depleted status of American troops, uncertainty of their eventual strength, and ignorance of British plans or of their ability to execute them made it impossible to plan a truly coordinated attack. As Washington commented, "We could only combine possible plans."<sup>52</sup>

When Washington returned from Hartford, he was confronted with a circumstance more disheartening than the inability to complete details for the next campaign. There was "treason in the Highlands." Benedict Arnold had planned to turn West Point, over which he had recently assumed command, over to the British. Connecticut's hero of the Plains of Abraham and of the northern campaign of 1777 had retired temporarily from active service before assuming command at Philadelphia. It was there that the perfidy was plotted. Arrangements had been made for the passage through the line of John André, alias Mr. Anderson, to keep the rendezvous with Arnold. Providentially, André's return was interrupted by members of a marauding party which

preyed on friend and foe alike. As he passed through the neutral land between the British and American lines, the marauders demanded to see his papers. When they were not satisfied with the credentials which he produced, he was ordered to remove his boots. The papers given him by Arnold were revealed. Despite his attempts to bribe the outlaws, the captive was marched to the headquarters of the Second Regiment of the Light Dragoons at North Castle.<sup>53</sup>

The Dragoons were under Arnold's command, and, since he was informed immediately of the capture, he was able to escape before Washington arrived at West Point. Benjamin Talmadge of Wethersfield, a Major in the Dragoons, insisted that the prisoner's papers be forwarded directly to General Washington. The papers included the pass to André, a report of the forces and ordnance at West Point, plans for the disposition of forces in the event of an alarm, and the minutes of Washington's last council of war. In an attempt to secure more information from André, he was escorted to West Point by Talmadge and a strong party of Dragoons before being imprisoned at Army Headquarters at Tappan, New York. Arnold's papers revealed the details of the plot. It was evident that he had planned for some time to deliver the fort to the British and had secured his appointment with this end in view.

After the shock of learning that the brilliant senior officer had betrayed his country had passed, Washington could write philosophically that it was a wonder that the catalogue of traitors was so small. Perhaps Washington understood, yet, despite the efforts of generations of historians, Arnold remains something of an enigma. Was he motivated by uncontrolled ambition, or covetous of wealth, or embittered by slights, or hackneyed in villainy and lost to all sense of honor? Contemporary judgments were severe, and in New Milford he was hanged in effigy. On the occasion of its tercentenary celebration in 1959, Arnold's native Norwich sought the restoration of his military honors, but the request was denied. Benjamin Talmadge spent hours with André after his capture and was intrigued with the brilliance, graciousness, and suavity of the British spy. His personal characteristics aroused great feeling for him among the younger officers. The sympathy felt for him as he faced death, somewhat lessened the hate for Arnold.

Sentiment was developing for a greater centralization. Delegates



from the New England States meeting in Boston in August, 1780, recommended that the several states implement the war effort by transporting their quotas of supplies to the Army, completing their complements of men, repealing any embargoes on interstate trade by land, sinking their state's quota of old continental bills, establishing sinking funds for new continental bills on which the credit of the bills would rest rather than attempting to support their credit by forcing them into circulation and refraining from emitting more state bills. Also, they recommended regional cooperation in supplying aid to sick soldiers and sailors charging the same to his state, preventing communication of intelligence to the enemy by newspapers and the like, and charging enlistees against the quota of the state of their origin. These were regarded as temporary expedencies, however, until a more final arrangement could be established. To achieve this, it was recommended that the states instruct their delegates to the Continental Congress to confederate with those states which would agree to the Articles of Confederation and that they form a permanent system for carrying on the affairs of government.<sup>56</sup>

The desire for greater centralization was first effectuated by the reorganization of the army. In the Spring of 1780, a committee of Congress arrived at Army Headquarters to secure information on which to base an economic reorganization of the army. The unfilled regiments, the delay of the states in filling their quotas, the lack of supply, and the low morale of the troops made the reduction of the organization advisable. In October, a plan was announced in which enlistments were to be on a long-term basis as desired by the Commander-in-Chief. Had this provision been adopted in 1776, the war might have ended by 1780. Small regiments were to be united, and since this reduction in the total number of regiments meant that fewer officers were needed, these were to be selected from those who wished to continue in service. Those who wished to retire were to receive half pay for life. The Connecticut regiments were reduced from eight to four, and Colonels Wylls, Bradley, Starr, and Meigs retired. These changes came late, but in recognition of a desperate situation.<sup>57</sup>

The Pennsylvania troops had mutinied and there was fear that this would spread to the main army. The year previously the fourth

and eighth regiments of the Connecticut troops, after a sullen roll call, had risen in opposition to the command. Their allowance of meat had been ten days late and they had been on parade for hours, "growling like sore dogs." Only quick action on the part of the officers prevented their being joined by the third and sixth Connecticut regiments.<sup>58</sup> The pay of the Connecticut line troops was months in arrears. In the Spring of 1781 a committee of the line officers met with the General Assembly in an attempt to resolve the difficulty. When the Assembly refused to make what the officers considered an equitable adjustment of the monies which had been withheld by the state, the officers departed. On June 26, General Samuel Parsons reported the failure of the committee to Washington, who forwarded the report to Trumbull with the request "that every satisfaction which can reasonably be requested should be given to these veteran troops." In the spirited correspondence which followed between Parsons and Trumbull, the Governor questioned if the officers meant "to press for more than justice from the necessity of their service," and Parsons replied that since truths were not agreeable, he would not trouble the Governor and Council on the subject.

Colonel Jonathan Trumbull, Jr., Washington's military secretary, took up the correspondence and invited his father to visit headquarters bringing some money with him. The troops' distresses, he wrote, "have so far operated upon their spirits as to render them impatient beyond further sufferance." This impatience was heightened, he said, "by the reflection that Connecticut is the *only* state who has not provided some pay for their troops, & when they consider that *no* State scarcely in the union have so much ability as theirs, the troops can construe the omission into no other reason than absolute *neglect*, which galls them beyond expression." Nothing would suffice but money. "The expectation of it . . . is almost an insult."<sup>60</sup> The state raised 35,000 pounds for the pay of the troops and reported that this sum would be at Danbury on the fifteenth of August. There is reason to believe that both the state and officers were guilty of attempting to drive hard bargains and neither had a proper appreciation of the difficulties of the other. The Assembly subsequently gave instructions that any mistakes in the previous settlement were to be rectified and the settlement extended to include 1781. A gratuity of twenty shillings was granted non-commissioned officers



and men "in consideration of the Occasional Diminution of Parts of Rations."<sup>61</sup> By August provisions began to arrive in good quantity. By then men were lacking to eat them. Washington was embarrassed for want of troops to carry an attack on New York.<sup>62</sup>

The year 1781 was to be decisive. In May, Washington had met with Rochambeau and his staff at Wethersfield to plan the future campaigns and the disposition of the French troops. There, at the Joseph Webb House with Governor Trumbull serving as official host, the allied commanders considered the best ways of relieving the Southern Army which was being hard pressed by the British. A direct attack on New York was considered more desirable than a transfer of troops to Virginia in view of the lack of transportation. Rochambeau's troops, which included the Connecticut troops, were moved to the lower Hudson, but colonial troops were so slow in arriving that the most these could do was to carry out a reconnaissance in force before King's Bridge. It was believed, inaccurately, that British ships were reenforcing New York and that pressure on the Southern Army was being lessened. Although New York continued to have strategical importance, the ability to launch a successful attack against it was fading. News was received that 29 warships with 3,000 French reinforcements under the command of de Grasse were moving toward Chesapeake Bay where British forces were reportedly building up. That which could be done must be done. Twenty-five hundred of Washington's troops and all of Rochambeau's French troops were transferred to the South in reversal of the Wethersfield decision. Connecticut troops were left to guard the Highlands and the Connecticut shore, but the Hudson was not again the scene of a major effort. "At an earlier period than my most sanguine hope had induced me to expect," wrote Jonathan Trumbull, Jr., on October 19, 1781, "a reduction of the British army under the command of Lord Cornwallis" was effected.<sup>63</sup>

Although the Hudson was not again the scene of a major effort, an alarm was sounded in New London on the evening of September 5, 1781, that the British fleet was standing off shore. Benedict Arnold had returned to familiar territory to avenge the loss of a valuable British merchant vessel. Defenses were readied during the night and the next morning women and children streamed out of the city to points of

safety. In a well-planned, coordinated attack, New London and Groton were quickly overrun by the British, who plundered, marauded, and burned as they went. The devastation ended only with nightfall when the British returned to their ships which lay at anchor until the following morning and then set sail for New York. In addition to the dead, captured, and wounded, the loss to New London included more than 125 buildings of all types, nearly all of the wharfing, and all of the shipping in port except sixteen small vessels which escaped up the river.<sup>64</sup>

More than a year was to pass before peace was agreed upon on January 20, 1783. In the interim before it became increasingly difficult to keep an army in the field. Officers were retiring from the service and the troops reporting to the field were unfit. Additional Tory estates were confiscated and a weather eye kept open for Loyalists.<sup>65</sup> The problems of an inflated currency which had continued to mount during the war reached new heights as the negotiators worked out the details of the peace. Public officials in their public and private capacities were alert to the fluctuating value of the notes. Privately they employed persons secretly to inquire of their brokers the rate of exchange between continental money and hard dollars.<sup>66</sup> Those who sensed the opportunities of the post-war period had begun to make their adjustments. The first act of the January session of the General Assembly "for the encouragement of Literature and Genius" anticipated the formal announcement of the long hoped-for peace.

Connecticut enjoyed relative security during the American Revolution. As in the several Indian Wars dating from the time of King Philip, the colony remained comparatively removed from the theater of war. The reason for this insulation from attack is not readily apparent, since the same deterrents did not prevail in 1775 as had existed 100 years previously. Early in the war Connecticut recognized its importance as a base of supply.<sup>67</sup> Joseph Trumbull, in seeking the support of Silas Deane for appointment as Commissary General, suggested that the appointment should come to him "because Connecticut would have to bear the brunt of supply."<sup>68</sup> The British decision to limit their attacks on Connecticut to small raids and diversionary thrusts instead of launching a full-scale attack may have been a decisive factor in their



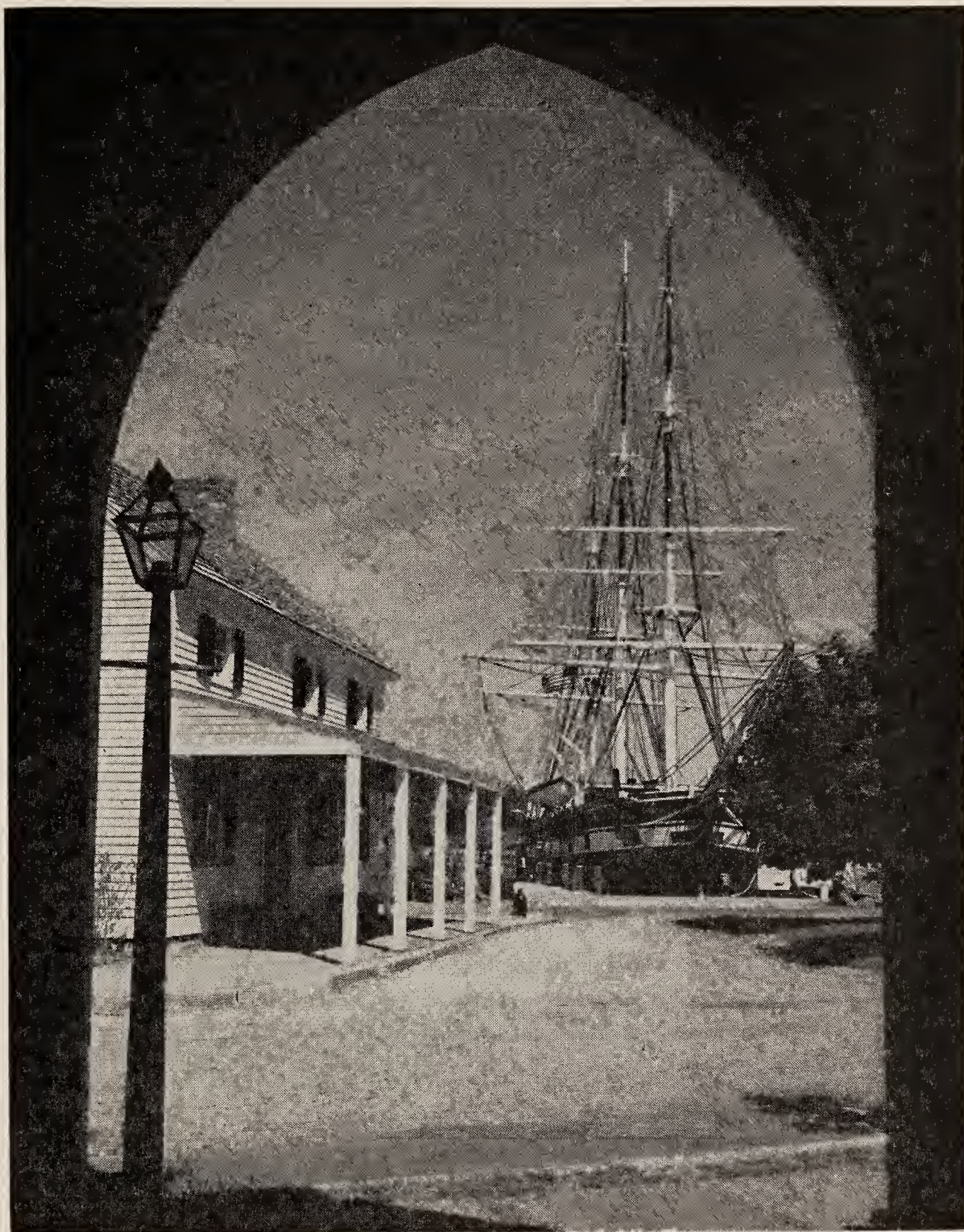
defeat. The relative safety of the colony permitted it to act with a certain boldness in non-military matters, such as control of loyalists.

By the end of 1775, it was generally agreed that measures to bring the Tories under control were necessary. Connecticut had moved steadily, but cautiously, toward this attitude since the firing at Lexington. Those known to be Tories had been placed under surveillance and were made to suffer for non-attendance at liberty pole celebrations and for drinking tea. Uncooperative merchants were boycotted, and even clerics were not exempted from the wrath of the patriot. At this time the Assembly refused to enact general legislation governing the matter and communities and organizations took independent actions. In November, Washington had suggested that something should be done and Trumbull had come to the belief that rules and regulations should be drawn "to prevent the operations of the evil practices and designs of persons inimical to the rights and liberties of the colonies."<sup>69</sup>

The first Connecticut law against the Tories was passed in the December session of the Assembly. Its provisions, which made it unlawful to write or speak against the established local government or to bear arms against it, were a declaration for the rights of an independent country and anticipated similar action by other colonies and by the Congress. The estates of those who aided the enemy were subject to seizure and their person to imprisonment. For criticizing the government, an offender was made ineligible for service in any public capacity, civil or military, and might be subject to additional fines, imprisonment, and disenfranchisement. Town officers and inspection committees were empowered to investigate and disarm Tory suspects, a legalization of the current practice. The patriot was thus cast in the role of informer and judge, the loyalist burdened with proof; and advantage to those favoring independence and one which they were not to relinquish. Washington was pleased with the enactment and urged other colonies to adopt similar laws. Under the act, Tories were found in greater numbers in the western part of the state and were arrested with greatest frequency in the first months of 1776.<sup>70</sup>

More extreme measures were passed against the Tories after independence had been declared. Treason was punishable by death. Town officials were empowered to confine within limits or to remove to a place





*(Courtesy of the Marine Historical Association, Mystic)*

MYSTIC SEAPORT—SCHAEFER'S SPOUTER TAVERN AND THE  
"CHARLES W. MORGAN" AS SEEN THROUGH THE DOORWAY  
OF THE FISHTOWN CHAPEL



of safety all persons regarded as dangerous.<sup>71</sup> Illustrative of the implementation of this provision is the case of Ralph Isaacs, who was, at first, removed from the New Haven area to Glastonbury where he and his correspondence were kept under strict surveillance. He was later permitted to move to Durham to enable him to be nearer his source of food. There he fell under an even closer scrutiny of the Committee of Inspection after he began selling rum and was evidently confined to specified limits. The Governor and Council could overrule the actions of a Committee of Safety, and, after Isaacs was represented by Jared Ingersoll at "a large hearing" he was permitted to return to Wallingford.<sup>72</sup> Later, in October, 1777, after he had taken the oath of fidelity, Isaacs was completely released from restriction. It might be suspected that the attempt to concentrate the Tories came to seem overburdening, especially when the main theater of operations shifted to the South. At least, early in the following year, disloyal persons, after they had come to understand "the state of the dispute," were permitted to return to their homes, although they continued to be restricted and were placed under a bail of 1,000 pounds.<sup>73</sup> By May, all those who had been considered guilty of treason were granted an indemnity, providing that they would take an oath of allegiance.<sup>74</sup> To travel in the state, however, a certificate of identification was required to avoid suspicion.<sup>75</sup> This general amnesty seems to have continued throughout the war and seems to have been administered in a liberal spirit.<sup>76</sup>

Despite the vicissitudes of war, Connecticut was not ready in 1777 to confiscate Tory property. Instead, in October of that year the state seized and leased such properties, arranging that the net proceeds would be paid into the treasury. The properties of the irascible Samuel Peters of Hebron were among those of notorious Tories which were seized under this arrangement.<sup>77</sup> Connecticut, also, forbade those who refused to take the oath of fidelity to the state to purchase or transfer real estate. Later, upon the recommendation of the Continental Congress, procedures were established for the forfeiture of properties owned by those who did not support the interests of the state. The proceeds which remained after costs and creditors were paid were to go to the state. As established, the procedures apparently sought to safeguard the rights of Tories as well as those of the state and the public,

for those, whose estates were judged subject to forfeiture, were granted the right of appeal to the superior court.<sup>78</sup> At first the sale of estates to the amount of fifty thousand pounds was authorized, and, as the financial affairs of the state worsened, additional authorizations were made. During the course of the war, the state authorized the sale of estates to the value of at least 250,000 pounds. In addition, acceptance of land to the amount of fifty thousand pounds was accepted for officers' or soldiers' pay.<sup>79</sup>

It would be difficult to determine the extent to which private fortune was enhanced by the arrangements for forfeiture. The provision that lands be paid for in silver or gold at the time of purchase or in two equal payments at purchase and at the end of three months limited opportunities to those with cash.<sup>80</sup> At times individuals assessed mortgages against other estates to secure the necessary funds. When these mortgages seemed to be in danger of default, however, the Assembly permitted their liquidation in soldiers' notes or in any other security of the state.<sup>81</sup> The scarcity of money in conjunction with the state's monetary needs, at times, made the forfeited estates a drag on the market and forced the price lower than might otherwise have been. The situation contributed to the speculative fever and the inflationary tendencies accompanying the war. By the confiscation of Tory estates, however, the government was enabled to acquire much needed funds and the title transfers were guaranteed by the Treaty of Paris.

The procurement of the materials of war required a particular effort during the whole course of the war. Clothing was an especially critical item. A British officer observed that there were few coats among the colonial forces which were not out at the elbows, and "in a whole Regiment, there is scarce a pair of breeches." At the request of the Council of Safety, the Governor ordered the commissaries to forward clothing to the western part of the State to be distributed among the Connecticut troops in accordance with Washington's request.<sup>83</sup> Difficulties in the procurement of supplies are indicated by the request of September, 1777, that each town supply "one shirt, or more if they see fit, either linen or flannel, one hunting shirt or frock, one pair of woollen overalls, one or two pair of stockings, and one pair of shoes for each non-commissioned officer and soldier in the continental army belonging



to such town.”<sup>84</sup> The Commissary General of the state was made responsible for collecting the clothing, and in December, collectors were sent from town to town paying prices fixed by the Council. To secure wheat and flour, officers of the Commissary were given powers to impress and seize these items if owners were reluctant to sell.<sup>85</sup>

The supply of the army offered an opportunity for private gain. In accordance with a resolution of Congress, July, 1780, a full-scale investigation was launched into the activities of the procurement officers. A 14 man committee was given the power of subpoena to examine the officers and their books and was supplied with a series of questions designed to ferret out evidence of misconduct. All citizens having knowledge of misconduct were asked to make the information available.<sup>86</sup> That practices judged contrary to the public interest were rather wide-spread is indicated by the fact that only three of those serving as issuing commissaries in August, 1780, were retained in the service of the state.<sup>87</sup>

Concurrently with efforts at local procurement, attempts were made to secure materials abroad. Silas Deane of Connecticut was sent on a two-fold mission to France in 1776. He was to secure supplies and to determine the willingness of France to extend loans, and, also, to learn France's attitude in the event the colonies “should be forced to form themselves into an independent state.” When Deane arrived in Paris in July, he found France cautiously sympathetic toward the American cause and learned that the commercial house headed by Beaumarchais had been organized to forward supplies to America, which ostensibly would be paid for by the shipment of tobacco from Virginia. Deane's biographer credits him with having supplied eight shiploads of war material by December, 1776, when Franklin reached Paris to serve with Deane and Arthur Lee as the American Commissioners.

Deane's informal accounting methods, however, led to his recall in 1777. He returned to Philadelphia in July, 1778, to face a hostile Congress. Deane not only had enemies in the Continental Congress, but in Pennsylvania and in Connecticut. Although he was not able to give a complete accounting of his activities, no dishonesty was proved, and he was permitted to return to France in 1780. Apparently, he was ready to heed the repeated advice of his brothers and friends to return

to this country, when he died on shipboard in Deal Harbor, England, September 23, 1789.<sup>90</sup>

To preserve and increase the supply of essential materials, the state had introduced restrictions against exports immediately upon news of the Battle of Lexington and Concord. The time limitation placed on successive embargo acts until November 1776 indicates that they were regarded as temporary. The adoption of the Declaration of Independence, however, removed any hesitation to enact wartime measures and the needs of the army made controls over commerce urgent. To prevent critical supplies from flowing out of the state, attempts were made to make the embargo effective. Also, the state moved further toward war-time conditions by extending to the Governor and the Council of Safety the prerogative of determining the extent of the embargo or of discontinuing it.<sup>91</sup> Those transporting listed articles were required to post a bond of five times the value of the products involved as surety that they would be sold within the state. Violators were subject to fines in an amount equalling twice the value of the products. To tighten controls, attention was turned to shipping and regulations extended to include privateers.<sup>92</sup>

At this time, Connecticut advocated as well a general embargo "on all privateers, and on all shipping whatever, except that which shall be especially permitted by each State for the purpose of bringing such necessities as are absolutely needed," and recommended this to the delegates of the New England states when they met in Providence in the last days of December, 1776.<sup>93</sup> New York protested it vigorously because of the harmful effects it would have on New York's commerce. New York was dependent on imports from the East and the South and pointed out that if the flow of goods from the Eastern states were impeded she would have to turn to the South. New York also reminded Connecticut of the benefits which had accrued to it from the trade of the New York merchants and argued that it would be unjust if these merchants should not be permitted to forward the articles purchased.<sup>94</sup> The Connecticut proposal, although apparently stringent, in fact allowed considerable latitude in application. Governor Trumbull was able to reply to New York that permits had been given on application for the transport of articles to New York and that the state agent would



be instructed "to indulge transporting such quantities for family use in your state as shall appear needful, consistent with the interests of both states."<sup>95</sup> By the following July, opinion shifted to a concern with the economic dangers of interference and the delegates to a conference in Springfield recommended to the several legislatures that in the making of laws to regulate commerce care be taken to insure that there would be no unnecessary interruption to a free commercial intercourse between the inhabitants of the several states.<sup>96</sup>

The proximity of the enemy, the availability of supplies in Connecticut, the willingness of some to turn a dollar, and the accessibility of water transportation facilitated the movement of goods and supplies between lines. The control of such trade was made the responsibility of the selectmen of the towns in the Winter of 1778. Permits and a bond of four hundred pounds were required of those who wished to enter Long Island or any territory controlled by the enemy. Those convicted of trading illegally were subject to fine, imprisonment, and liability to serve in the defense of the state.<sup>97</sup> To gain the guise of legitimacy some traders transported goods into the state and then sold to the enemy. To prevent this, public officials were extended the right of seizure and the privilege of transporting the goods to a locality believed more secure from the enemy. In an attempt to tighten the import trade, the continuance of the bonds required when securing permission to import was made dependent upon the return of a certificate of performance to the authorized official six months after the bond was issued.<sup>98</sup> There is reason to believe that these early measures were hesitantly applied, if at all. A year later, Trumbull, in a letter to Washington on December 27, 1779, spoke of measures they were taking "and now putting into execution" to intercept any intercourse whatever with the enemy without special permission.<sup>99</sup> The need for intelligence of the enemy's activities made the prevention of such trade more difficult. Agents going into enemy territory had to be given some pretense for their presence and many would undertake such missions only for the emoluments they received.<sup>100</sup> The permissions extended to refugees to bring their effects from territory controlled by the enemy were abused and the provision for these was repealed in April 1779.<sup>101</sup> The following year all permits to export goods out of the state were revoked and thereafter they were

to be given only by the Governor and for a limited time.<sup>102</sup> Local officials were given the power of seizure of goods suspected of being imported from enemy territory, and were permitted to employ armed whale boats and to borrow vessels from the French for use in disrupting the trade.

With the ever present illicit trade, the free flow of goods between states was all but impossible. However, in May, 1780, the Assembly again authorized the Governor to correspond with Governors of neighboring states relative to free trade. The latitude sought by some traders is revealed by the necessity of enacting in October of that year a law which required traders first entering the state to apply to the Justice of the Peace of the first town they reached after entering the state for a certificate to proceed.<sup>103</sup> The control of the coastwise trade became even more difficult as the theater of war shifted to the south and the dangers correspondingly decreased. The trade between states was specifically limited to overland trade, and, in 1781, the officials of the towns along the shore were instructed to tie up all boats or craft on the sound. When other restrictions on trade were revoked in 1781 the restrictions on trade by water continued. Any vessel engaged in trade outside of the state was required to post bond five times the value of the vessel.<sup>104</sup> Efforts to control the trade met with only limited success and became even more difficult as rising prices increased the chances for gain.

As another attempt to assure an adequate supply of the materials of war and the necessities of life, Connecticut introduced price controls and prevailed upon other colonies to do the same. Those who preferred private gain to public good were regarded as "the great pests of society." Earlier attempts to control engrossing had failed, and prices had become exorbitant.<sup>106</sup> In November, 1776, Connecticut fixed wages paid for farm labor at threeshillings a day and pegged other wages to this. Prices were fixed on rum, grain, meat, salt, wool, and flax.

In December, the list was extended in Connecticut to include certain articles of clothing and European imports. It had been charged that wholesalers had been reaping profits of from five to six hundred percent and that retailers enjoyed mark-ups of 40 and 50 percent. It decided that a twenty percent mark-up allowed retailers a just profit on items for which prices were not specifically fixed and that the whole-



salers should not be permitted more than a 150 percent profit, except on certain fabrics where an additional 25 percent profit was allowed. In the same month, these controls were accepted and even further extended by the delegates from the New England states at their meeting in Providence. A price differential was granted to the northern colonies on most of the articles.<sup>107</sup>

Risk, insurance, and scarcity are factors in explaining the difference in profits allowed the importer and retail merchants. It is, perhaps, also true that the importers exerted a comparatively greater influence on the lawmakers. Adequate consideration had not been given, however, to the inconveniences of the regulations, reaction of the people, amount of money in circulation, and other economic conditions. "Upon mature deliberation," it was recommended in the Summer of 1777 that the several state legislatures repeal the acts. Connecticut rescinded her acts promptly in August of that year, with the proviso, however, that the several towns should provide the families of the non-commissioned officers and soldiers of the continental army with necessities at prices fixed by the act of the previous December.<sup>108</sup>

The need for general economic controls was recognized by the Continental Congress in November 1777. Since it felt that the relation of the volume of money in circulation to prices was improperly balanced, the states were requested to give consideration to stabilizing the latter at three regional meetings. The states located north of Maryland met in New Haven in January 1778. The delegates at this meeting were aware of the strong opposition of those who believed such controls to be contrary to the principles of liberty. It was recommended, however, that the several states enact price controls as a limitation which a liberty-conscious people would impose upon itself in recognition that the partial infringement was necessary to the preservation of the whole.<sup>109</sup>

Connecticut had repealed its price controls six months earlier and Governor Trumbull believed that price controls would result in depreciated supplies of both domestic and foreign articles. Governor Trumbull seemed unwilling, however, to express direct opposition to the recommendations of the delegates to the regional meeting and to the Continental Congress. He proposed that the matter be considered in town meetings inasmuch as the controls affected the whole body of the

people. The Governor's influence was limited, and, when the Assembly met in February, it endorsed the recommendations of the New Haven convention. There is reason to suspect that the controls established were not deflationary, but rather gave legal acknowledgment to the existing price level. The delegates at New Haven acknowledged that in an effort to "avoid too great a revulsion," they fixed prices "higher than anyone will suppose they ought to be." Whereas an advance of seventy-five percent over the level of 1774 was permitted for noncritical items, greater advances were allowed in the case of enumerated articles. The price allowed for wheat was nine shillings nine pence which was an increase of 60 percent over the price fixed by the law repealed a mere six months earlier. In this attempt to control prices, the states touched on the general economic dilemma confronting the colonies. Prices, inextricably interwoven with the volume of money in circulation, underscored the need for the states to establish a single monetary system, discontinue emission of their own bills of credit, and introduce a taxation program which would provide for the government expenditures.<sup>110</sup>

The problems exceeded the willingness of the states to act cooperatively. While there were still those which had not adopted price controls by May 1778 the states followed a recommendation of the Continental Congress that all such laws be suspended.<sup>111</sup> As prices continued to spiral an attempt was made to develop a new formula for the regulation of prices at a meeting of commissioners of the several states at Hartford in October, 1779. The prices on products, labor, wages, and costs of transportation were fixed at not more than 20 times what they had been in 1774; articles imported were to be in proportion thereto, with due allowance for transportation and other costs; and salt and military supplies were to be completely exempted. The suggestion was endorsed by the Continental Congress on November 19, but when the commissioners met in Philadelphia in January 1780 they adjourned without taking action because it was alleged that any action would be ineffectual without the cooperation of all the states. Virginia and New York did not send commissioners. Accordingly a Connecticut Act contingent upon the action of the other states never went into effect.<sup>112</sup> Meanwhile the states moved slowly toward a confederation of states which might make general regulations possible.



When a draft of the proposed Articles of Confederation was received, copies were distributed to the several towns. The matter was presented to the Assembly at its February, 1778, meeting, when Governor Trumbull urged that the Articles be adopted quickly. Two years before, Connecticut had voted for independence and had instructed her delegates to move as fast as was convenient to a permanent plan of union.<sup>113</sup> Roger Sherman, of Connecticut, was a member of the committee which drafted the Articles.<sup>114</sup> The three major issues which had confronted the Continental Congress in drafting a plan of union were the basis of representation, the apportionment of the common expenses, and the powers to be granted to Congress over western lands.<sup>115</sup> Roger Sherman sought to compromise the issue as to whether representation should be based on population or whether each state should have the same number of representatives. Sherman proposed that on any question a vote of both the majority of the states and of individuals should be obtained.<sup>116</sup> This proposal did not carry and the provision to be considered by the Assembly was that each state would have one vote in determining decisions. Connecticut's representative had helped defeat a proposal that taxation be based on the total white population, but, again had voted with the minority against the final provision submitted to the states that the amount of public expense apportioned to the state should be determined by the value of all lands granted to or surveyed by individuals and of the improvements thereon. Connecticut's representative had argued that the number of inhabitants constituted a more certain, equitable, and practical rule and, through a proposed amendment, Connecticut resubmitted her views.<sup>117</sup> Although the population of North Carolina was about the same as that of Connecticut, the view prevailed that land in the latter would sell for five times as much.<sup>118</sup> Connecticut pointed out that trade and manufacturing were great sources of wealth enabling the eventual support of great numbers of inhabitants. On the question of division of sovereignty between the states and a central government, Connecticut was able to draw upon a century's practice in defending her charter. Sherman had contended "there is no other legislative over the colonies but their respective assemblies." In 1777, the majority opinion supported states' rights and the Articles were dedicated to this political philosophy.

The Connecticut delegation had seemed ready to make concessions on the question of western lands in order to secure ratification of the Articles. Roger Sherman and Oliver Ellsworth reported to Governor Trumbull that the landless states were demanding that western ungranted lands be made the common interest of the united states. If some method such as this offered were not found for paying the soldiers, the landless states would have to pay huge sums to those who claimed the land. Sherman and Ellsworth suggested that Connecticut supply lands to the troops of Rhode Island, Maryland, and New Jersey, as well as to their own troops. Cold Yankee reasoning understood that such grants would increase the value of the land claimed by Connecticut.<sup>120</sup> Maryland interpreted this as an indication that Connecticut was willing to permit Congress to dispose of the western lands.<sup>121</sup> When the issue was formally considered, however, Connecticut stood with the landed states. In a move to force Maryland into the Confederation, Connecticut endorsed the proposal that as many states which would confederate could do so, with the proviso that Maryland would not be excluded if she desired to join.<sup>122</sup> Maryland stood by her refusal to ratify the Confederation until the western lands were ceded to the central government until Virginia, in January 1781, ceded her lands north of the Ohio, and Maryland was persuaded to ratification. The immediate fate of the Confederation was less dependent on the wisdom of its arrangements than upon the outcome of the war.<sup>123</sup>

The depreciated currency and its fluctuation in relation to pound sterling not only rendered it difficult to supply the army, but contributed to a general economic uncertainty. Earlier efforts to get the legislatures of the several states to draw in their non-interest bearing notes failed and the attempt to check the depreciation of the currency by regulating prices proved futile. Connecticut resolved, in January, 1779, that all bills of credit issued to May, 1778, should be paid for in gold or silver or in bills of public credit. A new issue to the amount of forty thousand pounds was authorized against the taxes of the state. To meet this and other expenses, it was agreed to borrow one million pounds on the common currency of the United States.<sup>124</sup> Meanwhile, in an attempt to check the continually mounting indebtedness of the United States, the Continental Congress decided to fund the loans and paper



currency issue to December 31, 1778. Although the Connecticut Assembly expressed its belief that \$1,700,000 was more than Connecticut's just share of the \$15,000,000 fixed as the annual quota of the states, the measure was approved and taxes were levied to meet the obligation.<sup>125</sup>

The practices of both enemy and ally served to complicate the financial situation further. The French entered the market and purchased their needed supplies with silver. The British sought to drain the available specie through trade, sending out their agents with goods available only through cash. They, also, spread counterfeit bills in the state.<sup>126</sup> Washington considered that the finances remained in an "alarming state of derangement," and that public credit had "almost arrived at the last stage."<sup>127</sup> The Continental Congress and most of the states had entered into economic warfare belatedly and hesitantly and the effects of their efforts on procurement of supplies were not immediately noticeable. When the value of currency shrank to a ratio of 40 to one, Connecticut, in accordance with a resolution of the Continental Congress, March 18, 1780, agreed to take those steps necessary to reduce the amount of currency in circulation. The bills of credit which had been issued by the state were to be brought in and destroyed and in their place new bills, not to exceed five percent of the nominal value of the old, were to be issued. These bills were backed by the faith of both the state and the United States. Funds for the redemption of the old bills of credit which bore five percent interest were to be raised through taxes levied on the rateable estates of the State of Connecticut for six successive years beginning in 1780. Sixty percent of the new issues was to go to the state and the remainder was subject to the orders of the united states. The latter portion was to be credited to the state against whose funds it had been issued. The quota to be sunk by Connecticut was \$22,000,000 in paper currency.<sup>128</sup>

#### NOTES—CHAPTER XIII

<sup>1</sup> J. T. Headley, *Washington and His Generals* (New York, 1847), I, p. 109; Charles S. Hall, *Life and Letters of Samuel Holden Parsons, Major General in the Continental Army and Chief Judge of the Northwestern Territory, 1737-1789* (Binghamton, N. Y., 1905), pp. 1-2.

<sup>2</sup> John Codman, 2nd, *Arnold's Expedition to Quebec* (New York, 1901), p. 16.

<sup>3</sup> John Pell, *Ethan Allen* (London, c. 1929), p. 77.

- <sup>4</sup> Zeichner, *Years of Controversy*, pp. 198-218.
- <sup>5</sup> *Ibid.*, pp. 195-96.
- <sup>6</sup> *Ibid.*, p. 191.
- <sup>7</sup> *Conn. Col. Rec.*, XV, pp. 14-18, 37-40, 51-52, 88-89, 99, 101-102. David Wooster, Joseph Spencer, Israel Putnam, Benjamin Hinman, David Waterbury, Samuel Parsons, Charles Webb, and Jedidiah Huntington were named commanders of the first through eighth regiments respectively. See Hall, *Parsons*, pp. 1-2.
- <sup>8</sup> Curtis P. Nettels, *George Washington and American Independence* (Boston, 1951), p. 145.
- <sup>9</sup> William Cutter, *The Life of Israel Putnam: Major-General in the Army of the American Revolution* (New York, 1847).
- <sup>10</sup> *Ibid.*
- <sup>11</sup> Nettels, *Washington*, p. 145.
- <sup>12</sup> Headley, *Washington*, pp. 110-15; Cutter, *Putnam*, pp. 161-84; Douglas Southall Freeman, *George Washington, A Biography*, IV (New York, 1951), pp. 16-17.
- <sup>13</sup> Charles Coleman Sellers, *Benedict Arnold, The Proud Warrior* (New York, 1930), pp. 25-45; Codman, *Arnold*, pp. 16-20.
- <sup>14</sup> Nettels, *Washington*, pp. 53-54, 100-12, 127; George L. Clark, *Silas Deane, A Connecticut Leader in the American Revolution* (New York, 1913), pp. 21-37; Lewis Henry Boutell, *Life of Roger Sherman* (Chicago, 1898), pp. 85-95.
- <sup>15</sup> Nettels, *Washington*, pp. 160-64.
- <sup>16</sup> *Ibid.*, p. 160; Codman, *Arnold*, pp. 1-311.
- <sup>17</sup> Cutter, *Putnam*, pp. 197-99; Freeman, *Washington*, IV, pp. 1-76.
- <sup>18</sup> Quoted in Nettels, *Washington*, p. 203.
- <sup>19</sup> *Ibid.*, p. 206.
- <sup>20</sup> *Ibid.*, pp. 201-215; Freeman, *Washington*, IV, pp. 3-6, 12-16.
- <sup>21</sup> *Ibid.*, p. 76.
- <sup>22</sup> *Ibid.*, pp. 4-5, 60-61.
- <sup>23</sup> Hall, *Parsons*, pp. 48-50.
- <sup>24</sup> *Ibid.*, pp. 48-50; Nettels, *Washington*, p. 216.
- <sup>25</sup> *Ibid.*, Freeman, *Washington*, IV, pp. 135, 270; Hall, *Parsons*, pp. 63-78, 192.
- <sup>26</sup> *Conn. Col. Rec.*, XV, pp. 410-16.
- <sup>27</sup> *State Records*, I, pp. 3-5.
- <sup>28</sup> Freeman, *Washington*, IV, p. 208.
- <sup>29</sup> *Ibid.*, pp. 12-13, 26.
- <sup>30</sup> Hall, *Parsons*, p. 90.
- <sup>31</sup> Freeman, *Washington*, IV, p. 367.
- <sup>32</sup> *Ibid.*, p. 409.
- <sup>33</sup> *State Rec.*, I, pp. 84, 86, 88, 585-99.
- <sup>34</sup> *Ibid.*, pp. 120, 123, 162, 167, 183-84, 191; Nicholas Cooke to Trumbull, April 8, 1777, *Collections*, Mass. Hist. Soc., Ser. 7, II, p. 37.
- <sup>35</sup> *Ibid.*
- <sup>36</sup> Hall, *Parsons*, p. 93.
- <sup>37</sup> *Ibid.*, p. 93; Sellers, *Arnold*, pp. 144-50.
- <sup>38</sup> *State Rec.*, I, p. 214; Simon Deane to Mrs. Elizabeth Deane, April, 1777, *Collections*, Conn. Hist. Soc., XXIII, p. 99.
- <sup>39</sup> Trumbull to Washington, May 4, 1777, *Collections*, Mass. Hist. Soc., Ser. 5, X, pp. 59-60.
- <sup>40</sup> Hall, *Parsons*, pp. 61-65, 93-94.
- <sup>41</sup> Freeman, *Washington*, IV, p. 409.



- <sup>42</sup> Washington to Trumbull, May 23, 26, 1777, and Trumbull to Washington, June 12, 1777, *Collections*, Mass. Hist. Soc., Ser. 5, X, pp. 65-70; Washington to Parsons, May 17, 20, 1777, quoted in Hall, *Parsons*, pp. 95-99.
- <sup>43</sup> Washington to Putnam, July 1, 1777, *Mass. Hist. Soc. Papers*, Ser. 5, Vol. 10, p. 76.
- <sup>44</sup> Washington to Trumbull, July 1, 7, in *ibid.*, pp. 77, 80; Trumbull to Washington, July 28, 1777, in *ibid.*, p. 89; Gates and Washington to Trumbull, Aug. 4, 1777, in *ibid.*, pp. 90-92; Freeman, *Washington*, pp. 443-44; Jedediah Huntington to Joshua Huntington, Sept. 13, 1777, *Collections*, Conn. Hist. Soc., XX, p. 360.
- <sup>46</sup> William Samuel Parsons to Gov. Clinton, Oct. 9, 1777, quoted in Hall, *Parsons*, pp. 115-16; Parsons to Trumbull, Oct. 9, 1777, *ibid.*, pp. 118-19.
- <sup>47</sup> *Ibid.*, pp. 121-22.
- <sup>48</sup> Trumbull to Washington, April, 1779, *Collections*, Mass. Hist. Soc., Ser. 5, X, p. 135.
- <sup>49</sup> Hall, *Parsons*, pp. 247-51.
- <sup>50</sup> *State Rec.*, III, pp. 129, 132, 157, 163, 221.
- <sup>51</sup> Freeman, *Washington*, pp. 179-96.
- <sup>52</sup> Washington to Trumbull, Sept. 13, 1780, *Collections*, Mass. Hist. Soc., Ser. 5, X, pp. 191-94, 238.
- <sup>53</sup> Freeman, *Washington*, pp. 196-222; Hall, *Talmadge*, pp. 56-66; Hall, *Parsons*, pp. 304-16; Sellers, *Arnold*, pp. 225-48.
- <sup>56</sup> *State Rec.*, III, pp. 559-64.
- <sup>57</sup> Freeman, *Washington*, V, pp. 158-59, 231; Hall, *Parsons*, p. 318.
- <sup>58</sup> Freeman, *Washington*, V, pp. 164-66.
- <sup>60</sup> Jonathan Trumbull, Jr. to Jonathan Trumbull, July 13, 26, 1781, *Collections*, Mass. Hist. Soc., Ser. 7, III, pp. 247-48.
- <sup>61</sup> *State Rec.*, IV, pp. 12-14.
- <sup>62</sup> Hall, *Parsons*, p. 386; Jonathan Trumbull, Jr. to Trumbull, Aug. 2, 1781, *Collections*, Mass. Hist. Soc., Ser. 7, III, pp. 256-57.
- <sup>63</sup> Freeman, *Washington*, V, pp. 286-396; Hall, *Parsons*, pp. 389-93.
- <sup>64</sup> Frances Manwaring Caulkins, *History of New London* (New London, 1852), pp. 545-72.
- <sup>65</sup> *State Rec.*, IV, May, 1782; Hall, *Talmadge*, p. 74.
- <sup>66</sup> Benjamin Huntington to Trumbull, July 30, 1782, *Collections*, Mass. Hist. Soc., Ser. 7, III, p. 369; *State Rec.*, IV, pp. 28-88.
- <sup>67</sup> Joseph Trumbull to Silas Deane, July, 1775, *Collections*, Conn. Hist. Soc., XXIII, p. 7.
- <sup>68</sup> Nettels, *Washington*, pp. 190-92.
- <sup>69</sup> Zeichner, *Years of Controversy*, p. 207 and pp. 171-72, 173, 190-91, 198, and 203; *Conn. Col. Rec.*, XIV, p. 392, note.
- <sup>70</sup> Zeichner, *Years of Controversy*, pp. 207-209; Nettels, *Washington*, pp. 191-92. For a discussion of the activities of the Loyalists in Connecticut see W. H. Siebert, "The Refugee Loyalists of Connecticut," *Proceedings and Transactions of the Royal Society of London*, 1916-17, X, pp. 75-92.
- <sup>71</sup> *State Rec.*, I, pp. 4-8.
- <sup>72</sup> *Ibid.*, pp. 160, 166, 451, 490.
- <sup>73</sup> *Ibid.*, pp. 34-5, 158-59.
- <sup>74</sup> *Ibid.*, p. 254.
- <sup>75</sup> *Ibid.*, pp. 227-28.
- <sup>76</sup> Epaphroditus Peck, "The Loyalists of Connecticut," Conn. Ter. Comm. Publ. (New Haven, n. d.), p. 22.
- <sup>77</sup> *State Rec.*, II, p. 20.
- <sup>78</sup> *Ibid.*, I, pp. 412-13.
- <sup>79</sup> *Ibid.*, III, pp. 181, 240, 243, 254.

- <sup>80</sup> *Ibid.*, pp. 291, 385.
- <sup>81</sup> *Ibid.*, V, p. 123.
- <sup>83</sup> *Conn. Col. Rec.*, I, p. 82.
- <sup>84</sup> *State Rec.*, I, p. 396.
- <sup>85</sup> *Ibid.*, p. 462; *Conn. Col. Rec.*, I, p. 72.
- <sup>86</sup> *State Rec.*, II, pp. 395, 473-77.
- <sup>87</sup> *Ibid.*, III, p. 147.
- <sup>90</sup> Clark, *Deane*, pp. 252-53; Samuel Peters to Silas Deane, Aug. 12, 1789, *Collections*, Conn. Hist. Soc., XXIII, pp. 245-56; Nettels, *Washington*, pp. 230-33.
- <sup>91</sup> *Conn. Col. Rec.*, XIV, pp. 415-16; *ibid.*, XV, pp. 14-15, 113, 119, 315, 415-16.
- <sup>92</sup> *Ibid.* and p. 123.
- <sup>93</sup> *Ibid.*, p. 597.
- <sup>94</sup> *Collections*, Mass. Hist. Soc., Ser. 7, II, p. 8.
- <sup>95</sup> *Ibid.*, p. 10, note.
- <sup>96</sup> *State Rec.*, I, pp. 604-605.
- <sup>97</sup> *State Rec.*, I, pp. 528-29.
- <sup>98</sup> *State Rec.*, II, pp. 17, 222-23, 267-68.
- <sup>99</sup> Trumbull to Washington, Dec. 27, 1779, *Collections*, Mass. Hist. Soc., Ser. 5, X, p. 150.
- <sup>100</sup> *Ibid.*, and Washington to Trumbull, Jan. 14, 1780, in *ibid.*, p. 154.
- <sup>101</sup> *State Rec.*, II, p. 222.
- <sup>102</sup> *Ibid.*, III, p. 13.
- <sup>103</sup> *State Rec.*, III, pp. 39, 72.
- <sup>104</sup> *State Rec.*, III, pp. 172, 519-20.
- <sup>106</sup> *Conn. Col. Rec.* XV, p. 283.
- <sup>107</sup> *State Rec.*, I, pp. 62-63.
- <sup>108</sup> *Ibid.*, pp. 97-100, 120, 123, 366, 372, 583-620.
- <sup>109</sup> *Ibid.*, p. 614.
- <sup>110</sup> *Ibid.*, pp. 521-22, note, 524-28.
- <sup>111</sup> *Ibid.*, II, pp. 12, 134.
- <sup>112</sup> *Ibid.*, pp. 415, 562, 568, 578.
- <sup>113</sup> *Conn. Col. Rec.*, XV, pp. 410, 416.
- <sup>114</sup> Merrill Jensen, *The New Nation, A History of the United States During the Confederation, 1781-89* (New York, 1950), p. 126.
- <sup>115</sup> *Ibid.*, p. 138.
- <sup>116</sup> *Ibid.*, p. 143.
- <sup>117</sup> *Ibid.*, pp. 147-49.
- <sup>118</sup> *State Rec.*, I, p. 552.
- <sup>120</sup> Roger Sherman and Oliver Ellsworth to Gov. Trumbull, Oct. 19, 1778, *Collections*, Mass. Hist. Soc., Ser. 7, II, pp. 290-91.
- <sup>121</sup> Jensen, *New Nation*, p. 204.
- <sup>122</sup> *State Rec.*, II, 231-32.
- <sup>123</sup> Jensen, *New Nation*, pp. 225-38.
- <sup>124</sup> *Ibid.*, V, pp. 122, 234, 355, 419, 477-81, 562-78, 599-607, 611.
- <sup>125</sup> *Ibid.*, II, p. 177.
- <sup>126</sup> Trumbull to Washington, Aug. 31, 1780, *Collections*, Mass. Hist. Soc., Ser. 5, X, p. 202.
- <sup>127</sup> Washington to Trumbull, Oct. 31, 1780, *ibid.*, pp. 206-12.
- <sup>128</sup> Roger Sherman and Oliver Ellsworth to Trumbull, March 20, 1780, *ibid.*, Ser. 7, III, p. 26; *State Rec.*, II, pp. 516-20; Robert Morris to Jonathan Trumbull, May 19, 1782, *Collections*, Mass. Hist. Soc., Ser. 7, III, pp. 344-48.



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## Chapter XIV

### The Aftermath of War

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INDEPENDENCE HAD NOT RESULTED in any fundamental alteration of government, and victory, for the most part, brought only those changes dictated by an expanding population. A confidence in the future was suggested by post-war economic activity. Yet, before the decade ended, the economy was so affected that it provided an articulate minority with motivation to demand that a hesitant assembly send delegates to the Constitutional Convention, where the Connecticut delegation played a “small, but important part.” The newly-won freedom in the first months after the war was translated by the populace into opposition to the return of the Tories, to the organization of the Society of the Cincinnati, and to half-pay for officers of the Revolution.

#### *The Veterans of the Revolution*

The veterans emerged from the American Revolution conscious of their potential influence and convinced of the justness of their demands for recognition of their services. The people, however, feared the special privileges which soldiers might claim and protested strongly the provision for compensating officers for military service.

Early in the war, Washington, faced with half-filled regiments, incomplete quotas, and incompetent commanders, had supported half-pay for officers in retirement as necessary “for the salvation of the army.”<sup>1</sup> When the proposal had been made to Congress, however, it stirred “the most painful & disagreeable question” which had “ever been agitated in Congress.”<sup>2</sup> Connecticut was among the three states strongly in opposition to the proposal. Representatives from Connecticut had agreed that something must be done for the army, but had found that the proposal

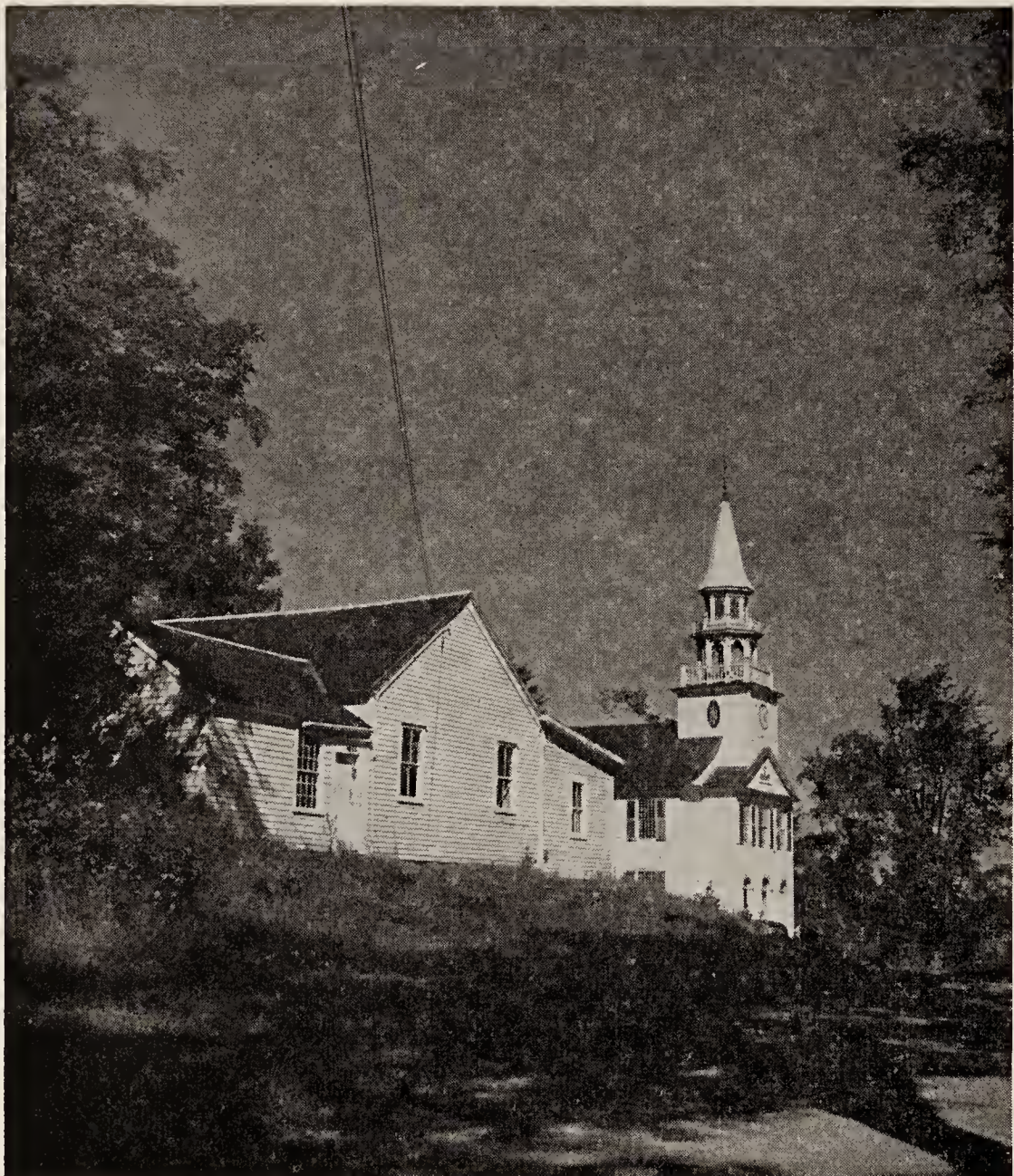
submitted was repugnant to their principles and had feared that the measure would further depreciate the currency.<sup>3</sup> At first, the proposal that the officers receive half-pay for life had been passed. Upon reconsideration, however, the period for payment was reduced to seven years. Then in 1780, an unwilling Congress reversed itself and granted half-pay for life, only to commute this at the end of the war to full pay for five years.<sup>4</sup>

In Connecticut, a general campaign of defamation followed, in which town meetings were assembled to pass denunciatory resolutions. Men in Congress and the State Assembly were denounced as tyrants; the people, it was asserted, were in danger of slavery. Four statewide conventions were held between September 1783 and March 1784. By this time, government had found a champion in Noah Webster, who charged that the convention was a nest of vipers which disturbed the tranquility of the government to answer selfish purposes and asserted that "every attempt to keep alive the present jealousies . . . must be treason against the state." Webster believed the dissatisfaction arose from "hot headed ignorance" and that the failure of the Congressional proposal would mean the failure of the Confederation. He sensed the trend toward a government with coercive powers although he underestimated the latent fears of anything suggestive of a professional army.<sup>5</sup>

Fears that the military might achieve a dominant influence were given point by the organization of the Society of the Cincinnati in 1783. This organization, partly social and partly political, was inspired by the belief that officers should unite to promote their ideas effectively. Each officer was to contribute a month's pay to a charitable fund and membership in the organization was to pass to the eldest male descendant of a founder.<sup>5a</sup> It is estimated that there were about 200 members in Connecticut, even though it was in this state that the organization met its strongest opposition.<sup>6</sup>

Opposition to the society raged through the press and found other avenues of expression. It was argued that the order placed an undue financial burden on the citizenry, that it began a pension fund which implied that officers had served for mercenary reasons, and that it sought to set up a badge of distinction within the community. Typical of the feeling was an open letter to the state society which declared "You must





*(Courtesy Conn. State Lib.)*

WARREN—CONGREGATIONAL CHURCH AND OLD MEETING HOUSE

be stupid . . . to imagine such absurdities can be palmed off upon the people without detection." Members were urged not to "plunge a dagger into the bosom of the country" which gave them existence. The Middletown Convention which had been called to protest the soldiers' pay proposal found it ominous that the Cincinnati had arisen simultaneously with the grant of the five years' pay. Finally, the lower house of the General Assembly added its protest. In 1784, when the delegates of the Cincinnati assembled in Philadelphia, Connecticut representa-



tives reported that the Order was in disfavor in their state. The Connecticut society would not agree to a change to abolish inherited eligibility, honorary membership, or correspondence among members; to require application to the legislature for a charter; and to reduce the society virtually to a charitable organization.<sup>7</sup>

Public disfavor subsided quickly, and prominent citizens, such as James Danna, David Humphreys, Joel Barlow, Jonathan Trumbull, Jr., and Ezra Stiles extolled the virtues of the organization. The last prophesied that the "fraternity will figure beyond any that was ever instituted in any part of the world." Humphreys became Vice President of the organization and Trumbull its Secretary. Others in public life accepted honorary membership.<sup>8</sup>

As a social organ the society made its first grant to distressed members in 1789. Politically and economically, the society was a strong conservative force. Although it did not take a formal stand on the ratification of the constitution, Jeremiah Wadsworth worked assiduously for its passage and when the new government was begun several of the society's leaders, such as Wadsworth, Benjamin Talmadge, and Jonathan Trumbull, Jr., were high in the government's service. The strength of the society was eventually lost, and, in 1804, the Connecticut branch, mortified that the General Assembly would not grant a charter of incorporation, disbanded.<sup>9</sup>

### *The Loyalists*

Although conservatives and radicals had united in opposition to the British, in the post-war period the re-emergence of a conservative group, identifiable in the Society of the Cincinnati, was paralleled by the re-emergence of a cohesive radical faction. The contrast between two elements was evidenced in the question of state policy in regard to loyalists. The conservatives generally favored a speedy reconciliation with the loyalists, while the radicals strongly opposed the return of the Tories. The different attitudes became pointed when, in January, 1783, the General Assembly granted permission to Richard Smith, a Massachusetts merchant who had been proscribed there as a Tory, to take up residence in Connecticut. The Assembly was quickly besieged with protest from residents throughout Connecticut and New



England. The scope of the problem quickly broadened to include the whole of the Tory question in Connecticut. Concurrently with the Smith issue, the Assembly had to decide what to do with those Tories who had remained with the British during the war and now wished to return to Connecticut. The radicals held the view that those who had voluntarily remained with the British had sacrificed their rights to the privileges of the state and should not be permitted to return. Those who could convince the civil authorities of their patriotism (*i.e.*, that their absence had been involuntary) would still have been denied the right of franchise by the radicals, until, after seven years, they might receive the approval of three-fourths of the inhabitants of the town in which they resided. The conservatives countered with the argument that the Tories would add to the economic and commercial well-being of the state. The radicals could not muster a sufficient number of votes in the May, 1783, session of the General Assembly to prevent the passage of a bill repealing all acts directed against Tories during the war except the Confiscation Act.<sup>10</sup>

The anti-loyalist sentiment, however, remained strong in some of the towns. Before the General Assembly had acted, many of the towns had adopted resolutions refusing the Tories the right to return. Their return to the town of Windham was prohibited as late as 1785. In other towns, tempers cooled and the more moderate attitude as reflected in the Assembly's legislation gained acceptance sooner. In the hope that it would become a powerful commercial center, New Haven early invited the Tories to return. It is said, too, that William Samuel Parsons carried an invitation to Tories in New York from the town of New London. The influx of Tories in New Haven was so great that in the city election of February 1784, eight Tories were elected to the common council and the popular Roger Sherman received only three more votes for Mayor than the combined votes for conservative candidates.

The policy governing the confiscation of Tory estates during the post-war period was contained in the Act of May, 1782. Estates of Tories not under mortgage or otherwise ordered to be sold were to be sold at public venue for specie payable within one year. More detailed studies are necessary before any approximate estimate can be made of the value of estates confiscated after the war, but the State records index

sixty-nine separate individuals whose estates were confiscated. If this is a reasonably accurate record, the number certainly is not large when viewed in relation to the estimated number of loyalists in the state at the beginning of the war. Although the state did not refuse to review confiscation orders, it appears that the petitioner paid the full cost of administering the estate. Although wives of those whose estates were confiscated might be permitted to retain a small plot of land with a house as dowry, however, the property was to remain under the control of the selectmen of the town and could be sold only with their consent.<sup>11</sup>

In some instances it seems that the confiscation of lands permitted the state to pay or individuals to collect debts which otherwise would have been unpaid. An illustration is the case of William Brown who owed the estate of John Winthrop 2,000 pounds which had gone unpaid for a number of years. The state, it seems clear, paid almost every type of debt including reimbursement for monies advanced during the war, notes issued for service in the Connecticut line, and such individual claims as that of a former minister of Acadia who had removed to East Hartford and whose Acadian property was lost to the enemy. Despite the annulment of Loyalist legislation in 1787, the administration of the confiscated estates continued until after the formation of the new nation.<sup>12</sup>

### *The Settlement of the Susquehanna Controversy*

The war was over, however, for patriot soldier and Tory too, and old problems in interstate relations had to be settled under the new Confederation. The ability of the Confederation to settle questions arising between states was tested in the settlement of the dispute between Pennsylvania and Connecticut over the western lands. Migration from Connecticut to the western territory was slowed during the Revolution, although the settlement of Westmoreland continued until the settlement was virtually eliminated by the depredations of the enemy. To relieve the distressed settlers, Connecticut had organized a volunteer militia and had abated taxes. Pennsylvania had persisted in her claim to the territory and under the pressure of land speculators, the Pennsylvania legislature took up the dispute over jurisdiction.

Article Nine of the Articles of Confederation provided that Con-



gress should be the last resort in all disputes concerning land. In 1781, a petition was filed with the Continental Congress asking that a court of commissioners be appointed to adjudicate the matter.<sup>13</sup> The “peace of the two states and consequently of the whole union” depended upon an amicable settlement of the controversy.<sup>14</sup> The commissioners and the counsel for the two states met at Trenton in November and December 1782.<sup>15</sup> Eliphalet Dyer, Jesse Root, and William Samuel Johnson were appointed to represent Connecticut.

The records of the meeting read more like those of a conference or diplomatic meeting than a court of law. After a week of conferences, it was agreed that the commission should limit itself to the question of jurisdiction. Thus, the question of the rights of Connecticut settlers to the land they occupied should be left to future negotiations. It was decreed officially that the State of Connecticut had no right to the lands in controversy. Although it was not a part of the record, the commissioners agreed to recommend to Pennsylvania that she quiet the claims of the settlers from Connecticut and to recommend to the settlers that they forego their right to a Congressional hearing until the Pennsylvania legislature had acted. Also, there was apparently something of an understanding that Connecticut was to be compensated elsewhere in the public domain.<sup>16</sup> The news of the decision was published in the Connecticut Journal on January 16, 1783. The Clerk of the Assembly inscribed on the roll for that day:

“Annihilated and out of Sight;—  
If what the court have done, is right”<sup>17</sup>

Westmoreland ceased to exist as a political entity. The dispute, however, was not over.

The Pennsylvania legislature ignored the unofficial recommendations of the Commissioners, which were not made public. Instead militia was sent to drive off the Connecticut settlers. In opposition, there arose, as representative of the remnants of the Susquehanna Company, a forceful dynamic leader from Canaan, Connecticut, John Franklin, who believed that the decision on jurisdiction did not affect individual titles to soil. From 1784 onward, Franklin was the leader of the settlement in the Wyoming Valley. Under his leadership, the settlers first appealed

unsuccessfully for the appointment of a new commission, and then proposed the establishment of a separate state for which Oliver Wolcott prepared a Constitution. A company of men was organized to fight the Pennamites for three years in return for which they were to receive half share in a township. Among the members of this company were Ethan Allen and his Green Mountain boys. Even the absorption of most of the territory into the county of Luzerne by Pennsylvania in 1786 did not halt the intrepid Franklin. He continued to attempt to influence legislators and anyone else who would listen, but he was fighting a losing battle. In 1795, the United States Circuit Court for Pennsylvania decided against the Connecticut titles in the case of *Van Horne's lessee vs. Dorrance*. The Pennsylvania legislature passed a compromise act in 1799 and a commission was appointed to straighten out land titles. This compromise, so Julian P. Boyd suggests, might have been made earlier—had it not been for John Franklin.<sup>18</sup>

Although Connecticut settlers had to wait until 1799 for settlement of their Susquehanna claims, Connecticut had dropped the issue when the Trenton decision had been made in 1782 and had turned her attention again to internal affairs.

### *The Continuing Nature of Government*

The American Revolution did not result in any fundamental alteration of the basic structure of government in Connecticut. The Assembly simply approved the declaration of independence and absolved the inhabitants from allegiance to the British Crown. "The multitude," said Samuel Peters, "considered the General Assembly to be equal to the British Parliament."<sup>19</sup> The legal basis of government remained the Charter of 1662 which had been granted by the Crown. When, in 1781, the Continental Congress ordered the printing of the constitutions of the several states, Oliver Wolcott believed that a detailed account of the origins and derivation of the form of government would be a matter of amusement rather than of information. To meet the Congressional order, Wolcott suggested that the Fundamental Orders be considered the true basis of government "with the charter only a confirmation of that constitution which was derived from the voluntary convention of the ancient rulers of the former colony."<sup>20</sup> This presentation, which Wol-



cott believed "would give a good general view of the principles of our government," was adopted in publication.<sup>21</sup>

Nevertheless, the view prevailed generally that independence had not altered the basis of government and Benjamin Gale was far ahead of his time when he argued in 1782 that the state had abrogated the charter when it made war and that the General Assembly's unauthorized declaration re-establishing the charter government was expedient, but extra-legal. His call for a constitutional convention went unnoticed. The orthodox view of the time was that in 1776 the people might have called a convention but that it had not been necessary for back of the charter was the fact that the government was grounded upon the will of the people.<sup>22</sup>

With confidence in the superiority of the existing form of government, in which ultimate power resided in the legislative branch, reforms further increased the autonomy of the General Assembly and its control over all phases of government. In October 1784 Judges of the Superior Court were made ineligible for executive and legislative positions of either the state or the United States. The powers of the supreme court remained with the Lieutenant Governor and Council meeting under the Presidency of the Governor which was to serve as the court of last resort. Although this arrangement relieved the General Assembly of much of its judicial work, the power of review remained securely under the influence of the Assistants who in many instances were in effect reviewing their own decisions. Criticisms of this were so numerous that a margin of consent was gained only by the assurance that it was a plan "for the time being."<sup>23</sup> In an obvious attempt to place the fiscal matters of the state under the control of the General Assembly, it appointed a Comptroller in 1788, who was to supervise all fiscal matters of the state and render an account to the Assembly.<sup>24</sup>

In local government there was a limited reorganization. The last of the eight counties of the state, Middlesex and Tolland, were organized in 1785.<sup>25</sup> The towns of Middletown, Haddam, Killingworth, Saybrook, East Haddam, and Chatham were the original towns of Middlesex County. Tolland, Stafford, Bolton, Somers, Hebron, Willington, Union, and Ellington were the original towns of Tolland County. Coventry was added to Tolland County in May, 1786.<sup>26</sup>

In the more heavily populated areas new towns were created or incorporated. In the middle of the 18th century, Hartford, New Haven, New London, Middletown, and Norwich were among the twelve most populous cities in the country. In 1784, these towns were incorporated, and remained the only representatives of municipal government in Connecticut until half a century later when Bridgeport was incorporated in 1836.<sup>27</sup> Connecticut was the pioneer of municipal government in New England, for Boston was not incorporated until 1823.<sup>28</sup>

The charters granted the five cities extended similar powers and privileges to each. The limits of the cities were fixed; the power to collect taxes established; the offices of mayor, treasurer, clerk, sheriff, and inspector of produce were created; and city courts and councils were authorized. The common councils were empowered to pass ordinances for certain specified purposes, but the prerogative was carefully safeguarded because no ordinance could take effect until approved in city meeting. In addition, any ordinance could be repealed by the superior court within six months after its enactment if found to be unreasonable or unjust. The mayors who presided over the council meetings were elected by the freemen of the respective cities, but held office at the pleasure of the General Assembly. This prerogative was rarely exercised, so that, in practice, the mayors held office for life. As Mayors, they received no compensation; but as Judges of the city court, they received two dollars a day.<sup>29</sup>

As new groupings of population coalesced, new towns were formed at an unprecedented rate. From 1785 to 1789, no less than twenty new towns were formed. Many of these constituted a fragmentation of established towns, others developed from existing ecclesiastical societies.<sup>30</sup>

The process of settlement was reflected in the public acts enacted to meet the demands of the people. The existent judiciary practices were in some instances inadequate and in other instances contradictory to the spirit of the post-war period. The view which prevailed earlier that Connecticut law was "derived from the law of nature and revelation" no longer sufficed. The common law of England was not fully applicable to the needs of the community, and, in the absence of printed reports of judicial decisions, it developed that one was frequently in contradiction with another. A law of 1785 required that the judges of



the superior court write decisions whenever there was a point of law involved. In 1789, Ephraim Kirby published the first volume of what has been regarded as “the first fairly thorough-going reports of judicial decisions ever published in this country.”<sup>31</sup> Roger Sherman and Richard



(Angell Collection)

(Courtesy Norwalk Historical Society)

NORWALK—SCHOOL BUILT ABOUT 1835 ON EAST AVENUE

Law, in 1784, assumed the responsibility of revising the General Statutes of the state, which had remained unchanged since 1750 except for the appendices added in 1769. Litigation had markedly increased and the rules of property had become outdated. After consideration by the Assembly, the code as revised was printed.<sup>32</sup> Although some alterations were made in the penal code, some penalties meted out were harsh and extreme. One Moses Parker, for example, was condemned by decision of Oliver Ellsworth, “to sit on the wooden horse half an hour; to



receive fifteen stripes, pay a fine of 10 pounds; to be confined to the gaol and the workhouse three months; and every Monday morning for the first month to receive ten stripes, and sit on the wooden horse as aforesaid."<sup>33</sup> Perhaps the surest index to the state's lack of concern for its criminals is found in the disgraceful conditions at Newgate Prison which were described by Timothy Dwight as immoral and impolitic.<sup>34</sup> An indication that the state was to continue to exercise strict control over the conduct of its residents was the act forbidding the playing of billiards or the possession of a billiard table.<sup>35</sup>

### *Post-War Commerce*

Connecticut's commercial situation had benefited from the war. The purchases of the French and British armies, privateering, and profiteering had resulted in an abundance of specie in the state for the first time in its history.<sup>36</sup> This abundance of precious metal together with the new opportunities of the post-war period provided a base for the expansion of markets as noted by Ezra Stiles. Before the war, the city of New Haven had four sailing vessels which were reduced to a single sloop of seventy-five tons of 1781. Within the next three years commerce had so increased that there were thirty-three vessels from New Haven engaged in the West Indies and other foreign trade. These vessels included one of 300 tons, and four square-rigged brigs. The rest were sloops of from sixty to one hundred tons.<sup>36a</sup> The average of 5,800 tons which cleared annually between 1785 and 1789 was twice the tonnage of the pre-war years.<sup>37</sup> In all, Stiles counted fifty-six shops in the city at this time. Half a dozen of these had goods which he valued at three thousand pounds sterling in contrast to the seven or eight shops there during the war, three of which traded considerably and had goods valued at six or eight hundred pounds.<sup>38</sup>

The familiar signs of a post-war economy began to appear. The populace, eager for consumer goods, much of which had been denied during the war, quickly exhausted the supply of cash and bought on credit. As early as 1783, Peter Colt wrote from Hartford: "The Dry Goods Business is very much at a stand—cash grows very scarce."<sup>38a</sup> Jacob Sebor reported late in 1784 that "our sales have been as great as had been expected," but cash was scarce and it had been necessary to



dispose of part of the shipment for cash and part for three months' credit, he trusted, "in good punctual hands."<sup>39</sup> British merchants, seeking the advantage of the reopened trade, overstocked, and the situation was further aggravated by European agents' forwarding unsalable items.

By 1787 the state was in the midst of a commercial depression. The lack of cash was everywhere evident. Traders pointed to the unfavorable conditions of the West India trade. Barnabas Deane wrote his brother, Silas, that they were almost completely shut off from the British West Indies and were greatly restricted by the French. Horse and oxen were selling for a fraction of their value and failures were occurring daily among the traders. The Deane brothers hoped to compensate for this loss of trade by keeping their distillery working. Cash was so scarce by the next year that most of their trade was carried on by barter.<sup>40</sup> The British restrictions on American vessels trading in the British West Indies had little effect and the half-hearted efforts of the French to protect French merchants through bounties on such articles as dried cod fish carried to the French Islands went almost unnoticed until the depression of 1786-87. Then the traders pointed to these as factors which theoretically limited their trade.<sup>41</sup>

To encourage commerce Loyalists were invited to return to New Haven and merchants of other states were invited to remove to Connecticut.<sup>42</sup> The ports of New Haven and New London were made free cities in May 1784. If they were accepted by the city, foreigners or residents of other states were assured of the protection of the law and guaranteed no other nor any greater taxes than the citizens of these towns.<sup>43</sup> In 1785, a Philadelphia traveler found in Connecticut "an amazing superfluity of European goods," mostly in the hands of British merchants.<sup>44</sup> With capital tied up in dead stocks, merchants frequently sold their goods at auction at prices below the sterling costs for the items.<sup>45</sup> The post-war boom had resulted in an over-expansion of credit. It was then that Noah Webster wrote in the same sentence of "expensive habits" and "sham morality" and charged that the people were unwilling "to pay debts until duns, writs, lawyers, and courts, forced them to do it."<sup>46</sup> Connecticut then turned to the development of post-revolutionary commercial policy.

A comprehensive tariff program was introduced in the Spring of

1784. The authority granted Congress during the war to levy a duty on all goods imported into the state was renewed, a similar duty was placed on articles imported from other states of the United States, an excise tax was placed on specific articles, and a tax was fixed on certain legal papers.<sup>47</sup> Exceptions to the rule concerning imports makes it extremely doubtful that the regulations interfered markedly with the flow of goods. Citizens of other states who imported articles from a foreign country with the intent of bringing them into Connecticut were exempted. The next year, although the rate was increased from five to six percent, goods owned by citizens of the state or by others in conjunction with citizens of the state were exempted, providing proof were presented that the goods were imported for sale in the state and had not been offered for sale before being offered in Connecticut.<sup>48</sup> When it is remembered, too, that "the enforcement of laws contrary to the best interest of the mercantile groups was lax and evasion was winked at," it is apparent that the various revenue acts had the effect not of limiting trade, but of encouraging it to be directed toward Connecticut. When, in 1789, the United States Constitution made necessary the repeal of all tariff laws, the change in Connecticut could not have been more than a matter of form.<sup>49</sup>

Within the state during the war, there had been a shift of the centers of trade from the cities along the Sound to the towns of the interior which were more secure from the enemy. These new centers continued to develop in the post-war period. On the basis of war profits, there had developed in Hartford an influential group of merchants in which Jeremiah Wadsworth was the central figure. This group was eager for new ventures. In the eastern part of the state, primarily through the leadership of the Trumbulls, Norwich continued to be a center of trade. Litchfield, as had Hartford, benefited from the war, and in 1785, Benjamin Talmadge purchased a share in the company owned by Miles Beach. In the same year, Talmadge, with his brothers, formed the B. Talmadge Company. Litchfield lacked an outlet to the Sound, but this did not prevent Talmadge from trading in Hartford, Boston, and New York, and from expanding his interest and that of his associates in all avenues of trade and speculation.<sup>50</sup>



*Agriculture*

Closely tied to the increased commercial activity was the course of Connecticut agriculture in the post-war period. During the war there were bitter complaints of the high cost of food-stuffs and it is greatly to be feared that a large share of the profits went to those who held the army contracts. These persons, such as Jeremiah Wadsworth, by virtue of the capital accumulated, to a very large extent made up the merchant trader class in the reconstruction period. Eager to capitalize on the post-war demand, they flooded the market with European goods until the supply of specie accumulated during the war had been exhausted.<sup>51</sup> The historic search for a cash crop to supply exchange for foreign goods was renewed with intensity. The cultivation of flax had increased during the century and had become something of a special crop in Fairfield County, yet it alone could not balance the foreign trade.<sup>52</sup> To supplement flax, encouragement was given to the production of raw silk and hemp. A subsidy of ten shillings per hundred was given for the planting of white mulberry trees and a bounty of three pence was granted for each ounce of raw silk produced. For the cultivation of hemp, a credit on assessed taxes was authorized at the rate of forty shillings per acre, except that if any great quantity were sown, the exemption should be increased fourfold.<sup>53</sup> A century and a half of extracting subsistence from the naturally thin soil had left few of the nutrients especially necessary for grains. When coupled with the loss of labor through war enlistments and post-war readjustments and the increase of population, the state rapidly was becoming incapable of producing its own foodstuffs. Agriculture was not able to provide a balance for the foreign trade.

*Settlement of the War Debt*

The most vexing of the post-war problems was the settlement of accounts between the state and the congressional government. The proportion of the debt to be assumed by each of the states, according to the Articles of Confederation, was to be determined by the proportion of the valued and surveyed land and the buildings and improvements on such land in each of the states.<sup>54</sup> The amount of Connecticut's obliga-

tion was to be met in part through retirement of old bills of credit and redemption of new issues. The plan of 1780 for the retirement of the bills of credit was not generally effective, and Connecticut, which did not remit any of the new bills, therefore, did not discharge her debit to the United States. It appears from a document filed by Oliver Wolcott in 1787 that, during the period from January 1780 to August 1783, upwards of \$8,000,000 in continental bills were retired.<sup>57</sup> Yet, when, in 1782, Robert Morris was pressing for the discharge of the debt, it was stated that new bills had not been issued because they could not be issued on a par with gold and silver. In fact, the state had taken advantage of the depreciated currency to retire the bills and bolster the financial structure of the state.<sup>58</sup> Morris, who was favored by the Connecticut delegation in Congress, argued that "principles of both reason and justice" called for the redemption of the paper and appealed for the settlement of the accounts.<sup>59</sup> Connecticut agreed to an adjustment of the quota, but suggested that another method might serve as well as that outlined by the Articles of Confederation as a means of determining the quota. The proposal for basing quotas on the population of the several states was submitted in the form of an amendment the next year, but was defeated.<sup>60</sup> It remained that accounts between the states and the United States Congress would be adjusted under the plan which had been developed early in 1782 by a commissioner, approved by the state to which he would be sent.<sup>61</sup> The accounts were confusing and some of the commissioners were slow and methodical and drew the criticism of the commissioners appointed by Connecticut to work with them.<sup>62</sup> The irritation of the General Assembly at the long delay in the settlement of the account is evident in the order to Oliver Wolcott, in 1786, directing that he prepare a written presentation of his progress in the business, and what impediment, if any, obstructed progress. In May 1787, he was ordered to prepare a statement of accounts and claims of the state against the United States. When Wolcott was named State Comptroller in 1788, the state's delegates to Congress assumed responsibility for settlement of the debts.<sup>63</sup> The loose accounting methods of the Treasurer, and the many different kinds of issues and their varying values made an exact audit impossible.<sup>64</sup> Under Hamilton's financial plan, the Federal Government as-



sumed \$1,600,000 of Connecticut's debt. By 1791, only \$458,437 of the debt remained, and by 1795 Connecticut was entirely free of debt.<sup>65</sup>

### *The Constitutional Convention*

When an invitation was received for delegates to meet in Philadelphia to resolve the problems of finance, commerce, and tariff by strengthening the Confederation, Connecticut was not convinced that issues could be best resolved in convention. Confidence in Congress had been severely shaken as a result of the soldiers' pay issue and the organization of the Cincinnati. The conventions held in protest had rendered even the idea of a convention obnoxious. The General Assembly had refused to send delegates to the Annapolis convention and there was strong opposition to sending them to Philadelphia.<sup>66</sup> As late as March 1787, David Humphreys wrote Washington that "Connecticut is under the influence of a few miserable, narrow-minded, I may say wicked politicians, that I question very much whether the legislature will choose members to appear in the Convention and if they do my apprehension is still greater that they will be sent on purpose to impede any salutary measures that might be proposed."<sup>67</sup> Ezra Stiles added his doubts as to the expediency of the Federal convention.<sup>68</sup> In spite of this opposition, there developed a strong block including Noah Webster, Josiah Meigs, and Jeremiah Wadsworth, who believed that Congress as it was then constituted was "too inert" for the solution of the issues of the moment.<sup>69</sup>

The decision to send representatives was not reached without spirited discussion. The *New Haven Gazette*, which held a strong federalist sentiment, identified those who opposed the idea as "unlettered backwoodsmen" and those who favored sending the delegates as "men of education and understanding." The Connecticut General Assembly delayed choosing its delegates until two days before they were scheduled to meet in Philadelphia "for the Sole and express purpose of revising the Articles of Confederation" and "to discuss upon such Alterations and Provisions agreeable to the General Principles of Republican Government."<sup>70</sup> Oliver Ellsworth, William Samuel Johnson, and Roger Sherman were delegates from Connecticut. It was reported that "the delegates from the eastward are for a very strong

government & wish to prostrate all the state legislature," but the opinion prevailed that the people of Connecticut, in general, were not in agreement. "No man" in Connecticut, it was said, "would be elected to the office of constable if he was to declare that he meant to pay a copper towards the domestic debt."<sup>71</sup> Roger Sherman, perhaps, was closer to the will of the populace than either of the other Connecticut delegates and was disposed "to patch up the old scheme of government."<sup>72</sup>

Characteristic of each of the Connecticut delegates was a broad experience in politics. Collectively, they represented almost three quarters of a century in public service. Each was a respected lawyer who had risen from local, to state, and to national prominence, having held both elective and appointive offices. William Samuel Johnson, an Episcopalian in a Puritan Commonwealth, was one of the most learned men of his time and had been appointed President of Columbia University. In the critical decision for revolution, he could not serve the people against the King, but after taking the oath of allegiance in 1779 he once again was called to the service of the state as a legal consultant in the Susquehanna controversy and finally as a delegate to Congress in 1785. Elegant, gentle mannered, almost affectionate in his mode of address, he could quiet disturbed spirits.<sup>73</sup> Oliver Ellsworth, born to the standing order as the son of a clever Yankee farmer, served in various capacities during the Revolution before taking a seat in Congress in 1778. Tall, dignified, commanding—logical, concise, argumentative—purposeful, arduous, and energetic, he could drive a point to effective conclusion.<sup>74</sup> Roger Sherman had risen from shoemaker to a position of eminence. The Constitution was to be the fourth of the significant national documents he was to sign. Tall, awkward, and uncouth, he was yet extremely artful in accomplishing any particular objective. He was judged to be "as cunning as the Devil, a man of ability and great practical wisdom."<sup>75</sup> Together, Sherman, Ellsworth, and Johnson were a competent, well-balanced, and politically experienced delegation, equipped for the practical work of the convention. Even a casual reading of the record of the convention reveals the jockeying, trading, committal and recommittal which seem customary parliamentary tactics. Ellsworth articulated a realistic approach saying he "preferred doing half the good . . . , rather than to do nothing at all" and de-



claring "If no compromise should take place, our meeting would be . . . , worse than vain."<sup>76</sup> The decisions of the Constitutional Convention were the only ones which the realities of politics would permit.

Even the three Connecticut delegates were not in complete agree-



*(Courtesy Mills Coll., Conn. State Lib.)*

COLCHESTER—OLD VIEW OF BACON ACADEMY

ment among themselves as their divided votes on critical issues reveal. Before Johnson arrived, Ellsworth and Sherman divided on the questions that the members of the House should be elected by the people, and that Congress should be empowered to legislate in all cases in which the separate states were incompetent. On these issues Sherman took an extreme states' rights view.<sup>78</sup> Although an effective propaganda campaign had been launched in Connecticut in favor of a national government, Sherman continued to express support for the confederate form of government. "Congress carried us through the war, and



perhaps as well as any Govt. could have done.”<sup>79</sup> With the arrival of Johnson, the balance within the Connecticut delegation was weighted in favor of federalism. Johnson had strong commercial ties in New York and spoke for the conservative order in Connecticut.<sup>80</sup>

From the opening of the convention until June 14, the delegates warred on the relative balance of power between the state and national governments. Then Patterson of New Jersey requested adjournment in order that a truly federal plan could be presented.<sup>81</sup> The specific instructions to the Connecticut delegation are sufficient to explain their cooperation in committee with an effort to check the trend toward extreme nationalism.<sup>82</sup> Nevertheless, the Connecticut delegation did not support the new plan and finally voted with the majority against the New Jersey plan.<sup>83</sup> The Connecticut delegation was now free from its instructions to revise the confederation. The word “national,” it was said, had been used inaccurately and delusively. It was explained that by “national government” was meant not one which would swallow up the states, but rather one which would exist on friendly terms with them.<sup>84</sup> The next day, Oliver Ellsworth moved to drop the word “national” and retain the proper title of “United States.” That general agreement had been reached before the session had convened is indicated by the fact that the proposal was agreed to without vote.<sup>85</sup> Many must have been of the same opinion as Madison, who observed almost half a century later, that the true nature of the government was determined by the substance of the articles, not by the title.<sup>86</sup>

The critical issue in the struggle of the large and small states was the method of representation in Congress. Other issues, such as the length of the term of the members of each house were comparatively easily resolved. The proposition for two branches of the legislature and the election of the lower house by the people was included in the original plan submitted by Randolph and was never seriously challenged, although opposition stiffened as the small states closed ranks.<sup>87</sup> Sherman had suggested as early as May 31 that members of the Senate should be elected by state legislatures. The Connecticut delegates consistently supported this idea.<sup>88</sup> On a motion by Rutledge, the convention voted unanimously to take up “the most fundamental points; the rules of suffrage in the 2 branches” on June 27.<sup>89</sup>



On the twenty-ninth, Johnson anticipated the day's events by an opening suggestion "that in *one* branch the *people* ought to be represented; in the *other* the *States*. The state delegation voted with the minority on the proposition that the rule of suffrage in the House should not be according to state, but Ellsworth moved that the principle should be followed in the Senate. He "was not sorry on the whole," he said, "that the vote just passed, had determined against this rule in the first branch. He hoped that it would become a ground of compromise with regard to the 2d branch." It was now that he warned "if no compromise should take place our meeting would not only be in vain, but worse than in vain." Of the eastern states, only Massachusetts would join the union if the states were denied an equal vote in both branches. Ellsworth "could never admit that there was no danger from the large states," but cajoled: "Let not too much be attempted; by which all may be lost . . ." and asserted that he preferred doing half the good, rather than to do nothing at all.<sup>90</sup>

The opposition formed with Madison, Wilson and King in the lead. "The Connecticut motion," charged King, "contains all the vices of the old confederation. It supposes an imaginary evil—the slavery of state governments. . . . Should this Convention adopt the motion, our business here is at an end."<sup>91</sup> Wilson entertained more favorable hopes of Connecticut and the northern states, trusting "the alarm exceeded their cause," but stating "if a separation must take place, it could never happen on better grounds." To his objection that the minority would rule the majority, Ellsworth asked if it were novel that power should be given to the few to save them from being destroyed by the many.<sup>92</sup> Madison's reply seems to have been tactical, he chided Ellsworth for trivial inconsistencies and criticized Connecticut for *positively* refusing to pass a law for compliance with the requisition of Congress. This drew a defense from Ellsworth and roused Sherman from his chair. Madison's attack was coupled with an offer to compromise on the question if it could be done "on correct principles, otherwise not—if the old fabric of the confederation must be the groundwork of the new, we must fail."<sup>93</sup> Madison indicated that he believed that the real division between the states was not between the large and the small, but between the Northern and Southern based on the effects

of their having or not having slaves. He advanced the idea that representation in one branch might be based on free inhabitants and in the other on all, including slaves.<sup>94</sup>

Sunday provided a day for introspection and negotiation before the Convention resumed and the matter was brought to a vote on a motion by Ellsworth that each state be allowed one vote in the Senate. There was one interesting switch in the usual voting alignment. Abraham Baldwin of Georgia, who, according to one record of the convention wanted clarification, and according to the other announced opposition, deadlocked the vote at five and five and sent the proposal to committee.<sup>95</sup> Baldwin was a native of Connecticut, a graduate of and a former tutor at Yale, who had recently moved to Georgia. He still retained strong ties in Connecticut and was to be a guest of Ezra Stiles before returning to Georgia after the convention. Baldwin had consistently supported proportional representation until this time. Farand suggests that "a temporary sacrifice of opinion for the sake of harmony was quite in keeping with his character."<sup>96</sup> Luther Martin stated that "Baldwin did not change his vote because of any change in his opinions, but because he was convinced that the small states would withdraw from the convention."<sup>97</sup> Ellsworth's biographer suggests that "it is ten to one, Ellsworth managed" Baldwin.<sup>98</sup> By his vote, Baldwin forced a compromise acceptable to small states and to slave states.

In 1787, slavery was not the moral issue it was to become later. Ellsworth stated that the "morality and wisdom of slavery were matters for the states to decide." Roger Sherman, in the voice of practical politics, observed that "it was better to let the southern states import slaves than to part with those states." Georgia was the last of the Southern states to admit slavery and during the Revolution was the most adamant for its retention. Madison's suggestion was not based upon a desire to retain the institution, but upon considerations of strength. By counting the slaves, the political balance would be thrown to the South. For both the small states and the slave states, then, the question was not one of morals but of political power.

The Connecticut delegation had made its contribution to the compromise designed to protect the essential rights of any individual state against the tyranny of a majority of others. For three days Ells-



worth had carried the attack for the small states and it was to him that rejoinders had been directed. Now he never attended the compromise committee to which he had been named and after it reported on July 5 the discussion was dominated by others.<sup>100</sup> The compromise was finally resolved with the proviso that representation in the House should be on the basis of population. The whole report was then approved on the 16th by a vote of five to four.<sup>101</sup>

The results of these negotiations are so frequently referred to as the "Connecticut Compromise," it seems proper to inquire into the justness of such claims. The propositions for the establishment of two branches of the legislature and for the election of the lower house by the people was included in the plan originally submitted by Randolph. These proposals were never seriously challenged, although, as the small states closed ranks, opposition stiffened.<sup>102</sup> The important feature of the compromise, then, was the basis of representation in the Senate.<sup>103</sup> Sherman had suggested as early as May 31, that the members of the Senate should be elected by the state legislatures and the Connecticut delegation consistently supported this view.<sup>104</sup> Ellsworth made the motion that "in the second branch . . . each state shall have an equal vote," and in the debate the plan was referred to at least once as the "Connecticut motion."<sup>105</sup> Although the records of the convention leave most of the machinations which transpired to inference, it appears that the Connecticut delegation was as astute as any, but in the debate on the floor the members of the Connecticut delegation did not emerge as leaders except during a brief three-day period. It is important to note in this connection that Farrand states that the compromise did not originate with Connecticut nor was the appellation "Connecticut Compromise" used during the convention.<sup>105a</sup> The Philadelphia Convention was a meeting of political giants. The appraisal that the "Connecticut delegation played a small, but significant part"<sup>106</sup> in the deliberations seems a fair estimate. Connecticut is as deserving, perhaps, of the appellation "the Constitution State" as any other state, but no more.

After agreement had been reached on the issue of representation, the convention moved to an orderly conclusion. The remaining ten days were devoted to further consideration of the proposals of the Vir-

ginia Plan submitted by Randolph. There were wide differences of opinion on the method of selection and the tenure of both the executive and the judiciary. The differences, however, did not follow geographical lines. The delegates seemed more inclined to present their personal views.<sup>107</sup> Since the matters were not regarded as vital to the protection of a state's interest, the delegates were willing for the remaining questions to be decided and a final detailed constitution drawn in committee. On July 26, the proceedings of the convention were referred to a committee of five, the Committee of Detail, of whom Ellsworth was one.<sup>108</sup> The committee was instructed to report on August 6. Its recommendations were considered from that date until September 10th, with a spirit of compromise governing the settlement of various questions.<sup>109</sup> On September 8th, the articles were referred to a committee of style under the chairmanship of William Samuel Johnson. Contemporary evidence, however, credits Gouverneur Morris with having done the major work of the committee.<sup>110</sup> That the committee, or more particularly, Morris, took liberties in the final draft is illustrated by the general welfare clause. In the report of the committee, this clause was separated from the other clauses by semicolons. This would have made it a separate power of Congress to do in addition whatever was necessary for defense and welfare rather than an explanation of purposes of taxation and a limitation of taxation to this purpose. The former interpretation was more in accord with Morris' views, but the latter had been accepted by the convention. As the constitution was finally engrossed, the clause was changed to its original form. Roger Sherman, who had gone as far as he would go in the formation of a government with coercive powers, insisted on the alteration.<sup>111</sup> The constitution was printed and signed, and the Convention met for a last time on September 17th.<sup>112</sup>

Even while the Convention was meeting in Philadelphia, certain men in Connecticut, who had been consistently strong nationalists, had supported the reconstitution of the federal government. Outstanding among these was Jeremiah Wadsworth, who had served as Commissary General during the Revolution, and who had engaged in a brisk commercial activity after the Revolution, supported a strong central government as necessary to the prosperity of economic ventures. Although in



Assembly he had advocated a stronger support of Congress by the state, after business reversals he finally felt impelled by material circumstances to advocate the termination of the Confederation. He supported the sending of delegates to Philadelphia, and as the Convention opened in May he addressed the Connecticut Assembly in support of its work. The unpublished researches of John David Ronalds Platt indicate that subsequently he sampled opinion, managed a propaganda campaign, mapped strategy, and kept in communication with important nationalists in other states.<sup>113</sup>

After the convention numerous pamphlets were published in the state and many of these were reprinted in the *Hartford Courant*, including those by Richard Henry Lee and other anti-federalists and Elbridge Gerry's famous letter and rejoinders. A special series addressed to Connecticut farmers was printed in the *Courant* in November and December. These articles were signed "Landholder," and attempted to demonstrate that the welfare of the agriculturists depended on the kind of harmonious relations between this class and commercial interests which the constitution alone could cement.<sup>114</sup> By the latter part of September, when Sherman and Ellsworth returned to add their information to that in circulation, it was reported that the merchants, the military, and the professional classes would be favorable to the new constitution. At this time, Wadsworth was still guarded but by December, he, too, was openly optimistic. Ezra Stiles reported in his diary, after spending Christmas Eve with Abraham Baldwin, that the proposed Constitution was not perfect but that it was advisable to adopt it. Stiles must have come close to expressing the attitude of the informed element of the populace which had earlier opposed the convention. The power of government in Connecticut rested with the legislature, and Stiles believed that the proposed constitution did not give Congress sufficient power for a firm government. He expressed concern over the powers granted the executive and the central government, but, as had been true of the delegates at Philadelphia, he and other Connecticut residents had become ready to accept the proposed form of government as the best possible expedient and to commit its perfection to the future.<sup>115</sup>

The Constitution was ratified at a special convention which as-

sembled at Hartford on January 3 and met until January 9, 1788. The delegates were characterized by Stiles as "the grandest assemblage of sensible and worthy characters that ever met together in this state." After the credentials of the members were checked they moved from the State House to the north meeting house. On the second day of the convention, Ellsworth opened the debate.<sup>117</sup>

The coercive power of the proposed government was the aspect upon which its proponents chose to base their appeal. "Without this, government is ineffectual, or rather there is no government at all," said Ellsworth. He claimed union was necessary for national defense, "to preserve peace among ourselves," and "to preserve commutative justice between the states." He appealed to history for support of his views, including the idea that the confederations of the world exercised coercive power.<sup>118</sup> Johnson portrayed a melancholy picture: "Our commerce is annihilated; our national honour, once in so high esteem, is no more. We have got to the very brink of ruin; we must turn back, and adopt a new system . . . a principle of coercion is absolutely necessary." It was emphasized that the coercion involved would be a legal one: "The power, which is to enforce these Laws, is to be a legal power. . . . The force, which is to be employed, is the energy of Law. . . ." He continued "We address ourselves, not to your passions, but to your reason; we speak as to wise men. Judge ye what we say."<sup>119</sup>

A Connecticut assemblage would not fail to notice provisions relative to taxes, imposts, and excises. To the argument that the provisions of the constitution extended to all phases of taxation, Ellsworth pointed out that except for customs the power to tax was a concurrent power. To the objection that imposts were not a proper form of taxation, he argued that an indirect tax was much preferable to a direct tax. The amount of the latter which the people would bear was limited. Further, Connecticut was already paying heavy customs on goods imported through New York and in the relative balance between the northern and southern states, the latter would pay a much larger portion. To meet the fundamental issue that the power of the purse should not be centered with the power of the sword, Ellsworth pointed to the representative nature of the proposed government. "Congress . . . is your parliament," it is made up of "men appointed by yourselves and



dependent upon yourselves.” Finally, to the assertion that two legislative powers cannot exist together in the same place, Ellsworth asked: “Why can they not?” He pointed out that cities existed within states



*(Courtesy Fairfield Historical Society)*

FAIRFIELD—OLD ACADEMY—USED BY  
EUNICE DENNIE BURR CHAPTER, D.A.R.

without the destruction of either, and concluded “We must lift up the standard of justice, we must establish a national government.”<sup>120</sup>

The debate was over on the ninth. On the last day, Governor Samuel Huntington, in addition to giving the document his official blessing, spoke of the virtues of a legislative branch with two houses. Oliver Wolcott, the Lieutenant Governor, felt so strongly that he could not



content himself "without giving his opinion more explicitly than by a silent vote." By this time, however, a controversy had developed in the press over a proposal by William Williams to require a religious test oath for federal office holding and to acknowledge explicitly in the preamble God as the Supreme Governor. Wolcott held that the existent provision of the oath for all office holders was in effect a "direct appeal to that God who is the avenger of perjury." It was Richard Law, however, Chief Judge of the Superior Court of the state, who articulated the idea that further changes should be committed to the future through the power of election and the provision for amendment. The convention was ready to vote. It was 128 yeas and 40 nays.<sup>121</sup>

The result was expected but for a state which came to be the citadel of federalism, the forty votes cast in the negative must be surprising. True to prophecy, the military men were squarely on the side of ratification, 45 out of 51 voted for the constitution. Three of the counties voted unanimously for ratification: New London, Fairfield, and Middlesex. Only New Haven cast a majority in the negative, by a vote of 9 to 13. The northern tier of towns also voted in the negative.<sup>122</sup> Knowledge of the convention will necessarily remain imperfect. Its records, such as they are, are those reported by the press and collated by Professor Labaree. It is to be feared that the strongly federalist press failed to report the opposition fully. The vote of New Haven remains something of a mystery. An explanation for the vote of the northern towns might lie in their proximity to Massachusetts.

Opposition to ratification ran high in the interior towns of Massachusetts, where there was a distrust of the merchants and capitalists of the seaboard, especially after Shays' rebellion. Ratification in Massachusetts finally came in February, but not until amendments were added which purportedly lessened the power of the central government and significantly strengthened the states. The cultural affinity of the Connecticut Valley on other occasions had proved stronger than state boundaries. It seems likely that the northern Connecticut towns were reflecting the political attitudes of the Massachusetts towns. Connecticut, in general, however, opposed the Bill of Rights strongly. Roger Sherman held that for the ratifying conventions to add amendments was improper. He held that amendment was properly a province



of the legislatures of the several states, and, since the Philadelphia convention had agreed on a basis of government, alterations should come on the basis of experience. Nonetheless, six of the seven states voting after the Massachusetts Convention included the amendments and the concession won additional supporters for the constitution. The General Assembly received copies of the amendments in its session of October 1789, but the conservative forces of the state apparently were not sufficiently interested in their ratification to secure their approval. When Virginia approved them in 1791, the Bill of Rights was incorporated without Connecticut's support.<sup>123</sup>

Plans were quickly made for beginning the new government under the Constitution of the United States. The Continental Congress resolved on September 13, that representatives should meet in New York on the first Wednesday of March, 1789. William Samuel Johnson and Oliver Ellsworth were chosen as the first Senators to represent the state and the October session of the 1788 General Assembly directed the free-men of the colony to meet and cast their vote for the nomination of twelve to stand for election as the five representatives of Connecticut. The election committee named to receive and count the ballots met in Middletown on November 19 to determine the nominees. The first election was held December 22 and in the January session the General Assembly announced the election of Roger Sherman, Jonathan Sturges, Benjamin Huntington, Jonathan Trumbull [Jr.] and Jeremiah Wadsworth. Although elected as representatives at large the Congressmen came from four different counties.<sup>124</sup> The new government was in safe hands and the federalists were rapidly becoming entrenched in Connecticut.

#### NOTES—CHAPTER XIV

<sup>1</sup> Roger Sherman, Samuel Huntington, and Oliver Wolcott, to Jonathan Trumbull, May 18, 1778 in *Collections*, Mass. Hist. Soc., Ser. 7, vol. 2, pp. 231-34.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> Boardman, *Sherman*, pp. 174-75; Jensen, *New Nation*, p. 261.

<sup>5</sup> *Ibid.*, pp. 261-62.

<sup>6</sup> Wallace Evans Davies, "The Society of the Cincinnati in New England, 1783-1800," *William and Mary Quarterly*, 3rd ser., Vol. 5, 1948.

<sup>7</sup> *Ibid.*, pp. 6-7.

- <sup>8</sup> *Ibid.*, pp. 19-20.
- <sup>9</sup> *Ibid.*, p. 23.
- <sup>10</sup> Oscar Zeichner, "The Rehabilitation of Loyalists in Connecticut," *New England Quarterly*, Vol. II (1938), pp. 308-21.
- <sup>11</sup> *State Rec.*, Vols. IV, V, VI, *passim*.
- <sup>12</sup> *Ibid.*
- <sup>13</sup> *State Rec.*, Vol. I, p. 539, Vol. II, pp. 57-58, 488; Boyd, *Susquehanna Co.*, p. 43; Frederick W. Gnichtel, "The 'Pennamite Wars' and the Trenton Decree of 1782," *Proceedings of the New Jersey Historical Society*, Vol. VI, 1921, p. 28.
- <sup>14</sup> Boyd, *Susquehanna Co.*, p. 43.
- <sup>15</sup> *Ibid.*
- <sup>16</sup> Groce, *Wm. Sam. Johnson*, pp. 116-17; Gnichtel, "'Pennamite Wars,'" p. 31-32.
- <sup>17</sup> *St. Rec.*, Vol. V, p. 11.
- <sup>18</sup> Boyd, *Susquehanna Co.*, pp. 43-48; Gnichtel, "'Pennamite Wars,'" p. 32.
- <sup>19</sup> Clark, *Hist. of Conn.*, p. 293.
- <sup>20</sup> Oliver Wolcott to Jonathan Trumbull, Jan. 1, Mar. 24, 1781, *Collections*, Mass. Hist. Soc., Ser. 7, Vol. 3, pp. 183, 210.
- <sup>21</sup> *Ibid.*
- <sup>22</sup> Richard J. Purcell, *Connecticut in Transition, 1775, 1818* (Washington: American Historical Association, 1918), pp. 177-78.
- <sup>23</sup> *Ibid.*, pp. 202-204; *St. Rec.*, Vol. V, p. 323.
- <sup>24</sup> *St. Rec.*, Vol. VI, p. 404.
- <sup>25</sup> *Ibid.*, pp. 10-11, 93.
- <sup>26</sup> The towns of Middletown, Haddam, Killingworth, Saybrook, East Haddam, and Chatham were the original towns of Middlesex County. Tolland, Stafford, Bolton, Somers, Hebron, Willington, Union, and Ellington were the original towns of Tolland County. Coventry was added to Tolland County in May, 1786. *Ibid.*, p. 154.
- <sup>27</sup> *Ibid.*, Vol. V, pp. 257-77, 342-73.
- <sup>28</sup> Amos A. Browning, "The Mayoralty in Connecticut," *Conn. Mag.*, Vol. V, 1899, pp. 27 ff.
- <sup>29</sup> *Ibid.*
- <sup>30</sup> *St. Rec.*, Vol. VI, p. xii; Berlin, East Haven, Bristol, and Thompson were incorporated in 1785; Lisbon, Hamden, Brooklyn, Franklin, Warren, Ellington, Bozrah, Granby, New Haven, Montville, and Hampton in 1786; Southbury, Bethlehem, and Weston in 1787; Brookfield in 1788; and Huntington (now Shelton) in 1789.
- <sup>31</sup> *St. Rec.*, Vol. VI, pp. 323-25; William Garrott Brown, *Life of Oliver Ellsworth* (New York, 1905), pp. 111-12.
- <sup>32</sup> *Ibid.*; Norris Galpin Osborn, Editor, *History of Connecticut in Monographic Form*, Vol. III (New York, 1925), pp. 68-73.
- <sup>33</sup> Brown, *Ellsworth*, pp. 110-11.
- <sup>34</sup> Timothy Dwight, *Travels in New England and New York*, Vol. I (London, 1823), p. 246.
- <sup>35</sup> *St. Rec.*, Vol. VI, p. 229.
- <sup>36</sup> Bronson, *Currency*, pp. 136-38; Brown, *Ellsworth*, p. 96; Boardman, *Sherman*, p. 199; Jensen, *New Nation*, p. 303; Clark, *Hist. of Manufacturing*, Vol. I, p. 227; Weeden, *Ec. and Soc. Hist.*, Vol. II, p. 793. For a brief discussion of war profits see Hall, *Talmadge*, pp. 81-87. Whereas it is almost impossible to judge with any degree of accuracy the aggregate profits of those engaged in privateering during the war, the privateers ran out of almost every town along the coast and from every navigable river. It seems almost certain that the practice contributed to the increase in the amount of specie available. See also, Evarts Boutell Greene, *The Revolutionary*



- Generation, 1763-1790, A History of American Life*, Vol. IV (New York, c. 1943), p. 268 and Louis F. Middlebrook, *History of Maritime Connecticut During the American Revolution, 1775-1783* (Salem, 1925). Typical of those engaged in trade and privateering were Jeremiah Wadsworth, Barnabas Deane, Nathaniel Greene, and Benjamin Talmadge.
- <sup>36a</sup> Stiles, *Diary*, Vol. III, p. 128.
- <sup>37</sup> Records of the Bureau of Customs, District of New Haven, cited in Jensen, *New Nation*, p. 215.
- <sup>38</sup> Stiles, *Diary*, Vol. III, p. 128.
- <sup>38a</sup> Quoted in John David Ronalds Platt, "Jeremiah Wadsworth; Federalist Entrepreneur" (unpublished doctoral thesis, Columbia University, 1955), p. 61.
- <sup>39</sup> Jacob Sebor to Silas Deane, Nov. 10, 1784, *Papers*, Conn. Hist. Soc., Vol. XXIII, p. 201.
- <sup>40</sup> Barnabas Deane to Silas Deane, Oct. 14, Oct. 15, 1787, Sept. 28, 1788, *Papers*, Conn. Hist. Soc., Vol. XXIII, pp. 215-17.
- <sup>41</sup> Jensen, *New Nation*, pp. 154-169, 194-218.
- <sup>42</sup> *St. Rec.*, Vol. V, p. 454. For loyalists, see Stiles, *Diary*.
- <sup>43</sup> *St. Rec.*, Vol. V, p. 325; Platt, "Wadsworth," p. 86.
- <sup>44</sup> Weeden, *Soc. and Ec. Hist.*, Vol. II, p. 819.
- <sup>45</sup> Jacob Sebor to Silas Deane, Nov. 10, 1784, *Papers*, Conn. Hist. Soc., Vol. XXIII, p. 201.
- <sup>46</sup> Wurfel, *Webster*, p. 99.
- <sup>47</sup> *St. Rec.*, Vol. IV, pp. 153-54, Vol. V, pp. 326-40.
- <sup>48</sup> *Ibid.*, and Vol. VI, pp. 15-18.
- <sup>49</sup> *Ibid.*, p. 503.
- <sup>49a</sup> See Platt, "Wadsworth," for an excellent discussion of Hartford as a center of trade.
- <sup>50</sup> Hall, *Talmadge*, pp. 103-18.
- <sup>51</sup> Albert Lavern Olson, *Agriculture, Economy, and the Population in Eighteenth Century Connecticut*, Tercentenary Commission of the State of Connecticut, Committee on Historical Publications (New Haven, n.d.), p. 17. Although Wadsworth did not benefit monetarily from his position as Commissary General, he reaped handsome profits after he resigned this position from a contract to supply the French Army. See Platt, "Wadsworth," pp. 2-60.
- <sup>52</sup> Bidwell and Falconer, *Hist. of Agriculture*, p. 98.
- <sup>53</sup> *St. Rec.*, Vol. V, pp. 256, 342, Vol. VI, p. 291.
- <sup>54</sup> Jensen, *New Nation*, p. 376.
- <sup>57</sup> Bronson, *Currency*, p. 126 and note.
- <sup>58</sup> *Ibid.*, pp. 127-34.
- <sup>59</sup> Robert Morris to Jonathan Trumbull, May 9, 1782, *Collections*, Mass. Hist. Soc., Ser. 7, Vol. 3, pp. 344-48.
- <sup>60</sup> *St. Rec.*, Vol. IV, pp. 168-69; Jensen, *New Nation*, p. 377.
- <sup>61</sup> Wolcott to Trumbull, Jan. 8, 21, 1782, *Collections*, Mass. Hist. Soc., Ser. 7, Vol. 3, pp. 344-448.
- <sup>62</sup> Jensen, *New Nation*, p. 378.
- <sup>63</sup> *St. Rec.*, Vol. VI, pp. 412-13.
- <sup>64</sup> *Ibid.*, p. 506.
- <sup>65</sup> *St. Rec.*, Vol. VII, p. 192, note.
- <sup>66</sup> Boutell, *Sherman*, p. 128; Brown, *Ellsworth*, p. 117; Groce, *Johnson*, p. 136.
- <sup>67</sup> *Ibid.*, p. 137.
- <sup>68</sup> *Ibid.*
- <sup>69</sup> *Ibid.*, p. 136.
- <sup>70</sup> *St. Rec.*, Vol. VI, pp. 292-93.

- <sup>71</sup> William Grayson to James Monroe, May 29, 1787, in Max Farrand, *The Records of the Federal Convention of 1787*, Vol. III (New Haven, 1937), p. 30.
- <sup>72</sup> Jeremiah Wadsworth to Rufus King, June 3, 1787, in *Ibid.*, pp. 33-34.
- <sup>73</sup> Max Farrand, *The Constitution of the United States* (New Haven, 1913), pp. 33-34.
- <sup>74</sup> *Ibid.*
- <sup>75</sup> Farrand, *Framing of the Const.*, p. 84; Jeremiah Wadsworth to Rufus King, Jan. 3, 1787, in Farrand, *Records of the Convention*, Vol. III, pp. 33-34.
- <sup>76</sup> Farrand, *Records of the Convention*, Vol. I, pp. 462, 469.
- <sup>78</sup> *Ibid.*, pp. 47, 52, 64-68.
- <sup>79</sup> *Ibid.*, pp. 335-41.
- <sup>80</sup> Groce, *Johnson*, pp. 21-22, 139-40.
- <sup>81</sup> Farrand, *Framing of the Constitution*, p. 84.
- <sup>82</sup> Brown, *Ellsworth*, p. 127.
- <sup>83</sup> Farrand, *Records of the Convention*, Vol. I, pp. 313, 322.
- <sup>84</sup> *Ibid.*, pp. 322-24.
- <sup>85</sup> *Ibid.*, pp. 335-36.
- <sup>86</sup> James Madison to Thomas Cooper, Dec. 26, 1826, same to N. P. Trist, Dec., 1831, same to John Tyler, 1833, in *ibid.*, Vol. III, pp. 474, 516, 524-30.
- <sup>87</sup> Farrand, *Framing of the Constitution*, pp. 92-93.
- <sup>88</sup> Farrand, *Records of the Convention*, Vol. I, pp. 52, 130, 148-50, 192-93, 204, 406-07, 414.
- <sup>89</sup> *Ibid.*, Vol. I, p. 436.
- <sup>90</sup> *Ibid.*, pp. 468-69.
- <sup>91</sup> *Ibid.*, p. 499.
- <sup>92</sup> *Ibid.*, pp. 482-84.
- <sup>93</sup> *Ibid.*, p. 476.
- <sup>94</sup> *Ibid.*, pp. 485-87.
- <sup>95</sup> *Ibid.*, pp. 469-70, 495, 510. One state was divided.
- <sup>96</sup> Farrand, *Framing of the Constitution*, pp. 96-97.
- <sup>97</sup> Brown, *Ellsworth*, pp. 144-45; Stiles, *Diary*, Vol. III, p. 296.
- <sup>98</sup> Brown, *Ellsworth*, p. 144, note 2.
- <sup>100</sup> Farrand, *Records of the Convention*, Vol. I, p. 532.
- <sup>101</sup> *Ibid.*, pp. 524-606, Vol. II, pp. 1-20; Farrand, *Framing of the Constitution*, pp. 98-105.
- <sup>102</sup> *Ibid.*, pp. 92-93.
- <sup>103</sup> *Ibid.*, p. 105.
- <sup>104</sup> Farrand, *Records of the Convention*, Vol. I, pp. 52, 130, 148-50, 192-93, 204, 406-407, 414.
- <sup>105</sup> Farrand, *Framing of the Constitution*, p. 106.
- <sup>105a</sup> Andrews, *Colonial Period of American History*, Vol. IV, p. 412, note 2.
- <sup>106</sup> *St. Rec.*, Vol. VI, p. ix.
- <sup>107</sup> Farrand, *Framing of the Constitution*, pp. 113-23.
- <sup>108</sup> *Ibid.*, pp. 122-23.
- <sup>109</sup> *Ibid.*, pp. 134 ff.
- <sup>110</sup> *Ibid.*, 179, 180-82; Groce, *Johnson*, pp. 147-48.
- <sup>111</sup> Farrand, *Framing of the Constitution*, pp. 176-178, 182-83.
- <sup>112</sup> *Ibid.*, p. 192.
- <sup>113</sup> John David Ronalds Platt, *Jeremiah Wadsworth, Federalist Entrepreneur*, unpubl. doctoral thesis, Columbia University, 1955.
- <sup>114</sup> *Ibid.*, p. 205.
- <sup>115</sup> *Ibid.*, p. 206; Groce, *Johnson*, pp. 152-53; Stiles, *Diary*, Vol. III, p. 296.
- <sup>117</sup> *St. Rec.*, Vol. VI, p. 553.



<sup>118</sup> *St. Rec.*, Vol. VI, pp. 553-57.

<sup>119</sup> *St. Rec.*, Vol. VI, pp. 557-58.

<sup>120</sup> *Ibid.*, pp. 558-64.

<sup>121</sup> *St. Rec.*, Vol. VI, pp. 564-71.

<sup>122</sup> *St. Rec.*, Vol. VI, pp. 549-52.

<sup>123</sup> *Conn. Col. Rec.*, Vol. VII, pp. xxi; Thomas H. Le Duc, "Connecticut and the First Ten Amendments to the Federal Constitution," Senate Document No. 96, 75th Cong., 1st sess., Washington, 1937.

<sup>124</sup> *St. Rec.*, Vol. VI, pp. 474-76, 496-97.

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## Chapter XV

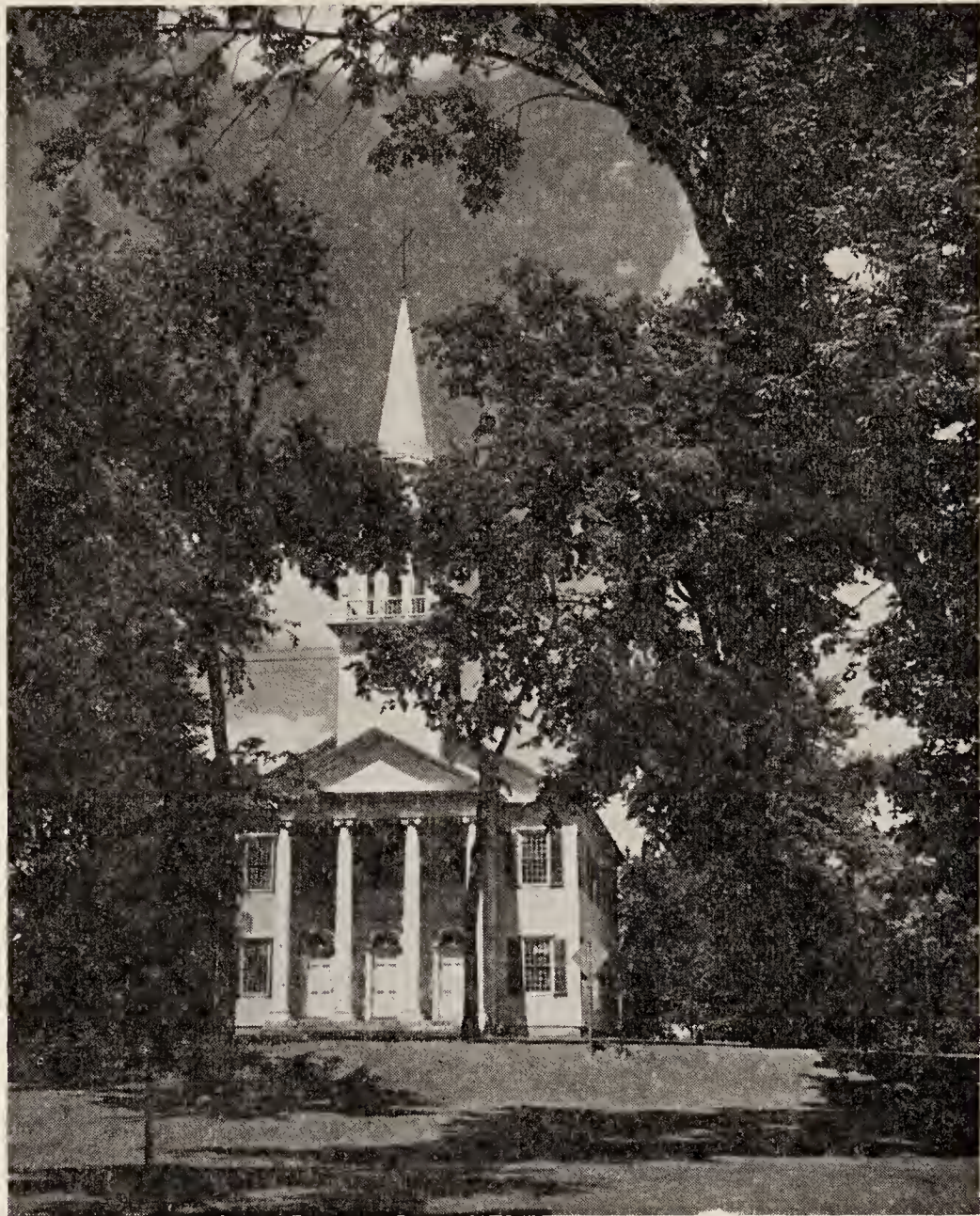
### Federalism at High Tide

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**P**OLITICAL DEVELOPMENT. The method of electing representatives to the new national Congress was left up to the states, and, in Connecticut, went through a process of refinement for almost a decade. The Act of 1789 was the basic law governing these elections in Connecticut. This provided that the Freemen of the several towns were to select, first in April 1790 and each two years thereafter, twelve nominees from whom the five representatives permitted the state would be chosen.<sup>1</sup> In the election of 1790, the method of casting votes for these nominees varied so from town to town that the Assembly ruled that all votes which appeared to "have been fairly and uprightly given" should be counted, providing the ruling would not be regarded as a precedent.<sup>2</sup>

It was assumed that vacancies which occurred during a term would be filled from the remaining nominees. When two vacancies occurred in the congressional delegation in 1793, only two persons remained on the nominating list, since the others had been elected or had accepted court appointments. The press agitated against a situation which, in fact, did not permit a choice. Dedication to the principle that the people should have a choice of representatives was reinforced by questions as to the federalist convictions of one of the two on the list. The state drew up a special list of nominees in November 1793 to meet the immediate situation but did not then make provision to meet a recurrence.<sup>3</sup> The number of nominees was increased, however, to fourteen when Connecticut representatives were increased from five to seven after the census of 1790. In 1797, the number of nominees was further increased to 18, apparently because of the unusual situation of 1793.<sup>4</sup>





*(Courtesy Conn. State Lib.)*

LITCHFIELD CHURCH

Pressure soon developed in support of electing representatives by districts. The idea was opposed by the dominant political group, perhaps in the belief that control of the delegation could be more easily retained if the nominees were candidates at large. It was argued that if election were by district, the voters would be partial and unjust, since they would be too close to the candidate.<sup>5</sup>

In 1790, Mathias Nicoll, representative for Stratford, had introduced a bill to exclude members of Congress and federal officeholders



from the state legislature and judiciary. As amended and passed by a small majority, it provided only that members of Congress would be excluded from seats in the Assembly, and this was negated in Council.<sup>6</sup> The next year it was provided that federal officeholders, who were ineligible for Congress by virtue of their office, would, also, be ineligible for the state legislature.<sup>7</sup>

Connecticut accepted the concept of federal union, yet it determinedly guarded its own sovereignty. When the United States Supreme Court by its decision in the *Chisholm vs. Georgia* case permitted a citizen of one state to sue another state in the Federal courts, Connecticut objected strenuously. In the October session of the General Assembly, the state's representatives in Congress used their influence to procure an alteration which in the future would prevent any state's being liable to such a suit against its own will. Congress acted promptly. The following May, Connecticut ratified the eleventh amendment denying Federal Courts jurisdiction in suits against a state brought by an alien or resident of another state.<sup>8</sup>

### *Economic Development*

The confidence in the new federalism was nowhere more clearly evidenced than through the development of financial institutions in the state. Before the formation of the federal union, the country merchant had served as financier and broker. Hamilton's financial policy engendered confidence in the American system at a time when the supply of money increased and when European wars cut off foreign loans, reduced imports, and lessened the drain on specie. Insurance and banking interests emerged as distinct institutions. The Hartford Bank and the Union Bank of New London were chartered in 1792, the New Haven and Middletown banks followed in 1795, and the Norwich Bank in 1796.

These first banks were essentially democratic. In the first charter for the Hartford Bank, for example, no one except the State could hold more than thirty shares and voting procedures were weighted to give the small shareholder an advantage over the larger. In voting each stockholder was allowed one vote for one share if he held no more than two shares, one vote for each two shares above two and not exceeding



ten, one vote for each four shares above ten shares, except that no one (*i.e.*, person, copartnership, or body politic) could have more than ten votes.<sup>9</sup> By 1795, this democratic characteristic was beginning to be lost. The number of shares which one could hold was no longer limited, and voting strength was determined by the number of shares held. Subscription was theoretically open to all investors. In practice, however, the close association of the bank to the General Assembly and to the church established a preference in choosing subscribers for stocks regarded as safe and as a rising investment.<sup>10</sup> The banks effectively concentrated the capital of the state and made it available for an expanding industry and commerce.

Closely associated with this expanding economy was the need for sharing the risk of a single voyage by a number of persons, who, in turn, would share in the profits. Informal arrangements, in which a number of underwriters assumed a specified proportion of the risk on a vessel with one of their number acting as agent, were replaced by incorporated companies. In 1795, the Mutual Assurance Company of Norwich was incorporated, and, in 1797, the New Haven Insurance Company. The insurance companies and the banks were to a great extent controlled by the same men, most of whom were also interested in the rapidly expanding trade.<sup>11</sup>

The accumulation of wealth in the last decade of the eighteenth century was furthered by the impetus given the shipping industry by the foreign wars.<sup>12</sup> Connecticut schooners carried products to the South, particularly to Charleston; numerous small vessels went as far as the West Indies; and a few ships cleared New Haven and New London for Europe. However, from one third to one half of the total trade was carried on through New York.<sup>13</sup> The export trade was extended to the towns of the Connecticut Valley; the mast trade was located primarily in the river towns, and these, with towns on the coast, became centers of ship building.<sup>14</sup> The whaling industry, after a halting start in 1784, had developed to place New London in competition with Nantucket by 1798.<sup>15</sup> The lucrative China trade had attracted Connecticut as early as 1784, when a subsidy had been requested and refused by the General Assembly. Timothy Dwight, however, reported the return of the *Nep-tune* from the Orient in 1796, with a cargo worth two hundred and

forty thousand dollars.<sup>16</sup> In the last decade of the eighteenth century, principal articles of export, as indicated by attempts at regulation, were: pork, beef, fish, pot and pearl ashes, flour, cornmeal, butter, lard, tobacco, timber, lumber, pipe staves, and shingles.<sup>17</sup> The increase in commerce after 1789 was due in large part to the European wars and to the opening of the West Indies to neutrals. Washington's proclamation of neutrality, which permitted trade with all nations, was approved. The fear of involvement which would limit markets was intensified by British seizures of American ships. The state took steps for the defense of its coast and, in general, supported the temporary embargo of 1794, perhaps in the hope that this would avoid a longer loss of market. Except that the short-lived Peace of Amiens caused a decline in shipping, prosperity continued until the passage of the Non-Inter-course and Embargo acts, which were opposed bitterly by the Federalists by whom they were decried as a conscious effort to ruin New England's trade.<sup>18</sup>

These same acts, however, were expected to stimulate manufacturing, which had already made significant, although slight progress prior to the beginning of the nineteenth century. Tench Coke, an English traveler, observed that the state could not hope to support its growing population under the existing economic system and recommended that more attention be given to manufacturing. Others, too, suggested the desirability of broadening economic activities, but the necessity of furthering industry was not completely grasped. Some regarded it merely as a method of preventing idleness of poor children. To Governor Samuel Huntington, its support was no more than a method for allaying the dissatisfaction of the populace.<sup>19</sup>

Private capital was being invested almost exclusively in commerce and land, especially in view of British competition in manufacturing. Therefore, those who were interested in manufacturing turned to the state for assistance. As in the colonial period, monopolies were granted and establishments were made free of taxes for varying, but specified, periods. In the textile industry, the exemption was extended to the laborers. In 1783, all manufactured articles were freed from excise tax. In several instances, lotteries were permitted as a means of raising capital. The owners of the Salisbury iron works, whose works had been



attached and who were "obliged to shut themselves up to avoid imprisonment," were granted exemption from attachment, execution, arrests, or imprisonment in civil cases for a period of three years.<sup>20</sup>

Even with this state aid, foreign competition made the success of a manufacturing enterprise uncertain. Despite the consideration given the owners of the Salisbury furnaces and the tax exemption allowed those engaged in the iron industry, for example, the iron trade in any commercial or industrial sense was lost, as the domestic products could not compete with the European imports.<sup>21</sup> Again, English competition eventually caused the failure of the early woolen manufacturing plants.

However, with state encouragement there was accomplished the procurement of textile machinery, the establishment of a number of mills, and the development of production skills. Also, the woolen mills expanded into the production of other textiles and achieved successful competition in cotton manufacturing in the next century. In addition, it was in the development of textile manufacturing that it became evident that business organization was assuming a more definite form. Although silk manufacturing proved unsuccessful, primarily, it was said, because of the lack of skilled workers, the incorporation of the Connecticut silk manufacturers in 1789 is regarded as the first formal incorporation of a manufacturing concern in the United States.<sup>22</sup> Under the state policy a certain advance occurred.

The first textile machines imported into this country may have been brought in by Samuel Loomis, who, in May 1787, was given a monopoly of the manufacture of textiles within a thirty-mile area of Colchester upon the claim that he had secured machines which would make cloth more easily than previously. There is, however, no indication that these works were completed.<sup>23</sup> In Hartford the following year, Jeremiah Wadsworth began a plant which specialized in making broadcloth. This is described as "the first purely wool-manufacturing concern founded on a strictly business basis, and the first in which power machinery was employed."<sup>24</sup> Wadsworth's plant was begun with a capital of 1,250 pounds, later increased to 2,800 pounds, and then, again, in 1790, increased to approximately 4,800 pounds through an authorized lottery. The General Assembly voted a bounty of one penny on the pound for woolen cloth woven before June 1789. The establish-

ment was exempted from taxes for a period of five years and the laborers for two.<sup>25</sup> Under these incentives, the company produced 10,000 yards of woollens in the first 18 months of operation. Yet the plant had to close in 1794. The inefficiency of the factory, inferiority of its product, and inadequacy of capital (in spite of the authorized lottery and state loans) made it impossible for the factory to compete with British imports.<sup>26</sup> Tax exemptions for woollen manufacturers and their employees were extended in 1789 and 1790 to the mills of Atwater and Lyon in New Haven, Stephen Brownson in Farmington, Lemuel Grosvenor of Pomfret, William Candal of Killingly, and John William Holley of Stamford.<sup>27</sup>

It became conventional for woollen manufacturing to be combined with the manufacture of other textiles. Jeremiah Wadsworth had contemplated expansion of the Hartford Woollen Manufacture into silk manufacture, and in applying for state benefits John William Holley had indicated he was engaged in the manufacture of other textiles.<sup>28</sup> One of the first factories established primarily for the manufacture of cotton textiles, although it also engaged in the production of linen and silk fabrics, was that established in 1791 in Westville by William McIntosh in association with David Dixon and John R. Livingston. For a few years, large quantities of cotton cloth, cotton yarn, wick, table cloths, and calico were produced here, but the factory was not rebuilt after being destroyed by fire in 1837.<sup>29</sup> A smaller neighboring factory was built by Abel Buel, the silversmith, who is credited with having brought McIntosh from Scotland. This was judged by Stiles as more likely to succeed although smaller and less "grand."<sup>30</sup>

Although the state was particularly interested in textile manufacturing it extended its aid to efforts in other fields as well. For example, in 1783, the state granted William and Elisha Pitkin and Samuel Bishop a monopoly of glass-making for 25 years in return for the aid which the Pitkins' father had given during the Revolution. The factory made bottles and demijohns, jars and inkstands in an establishment large enough to employ 30 men on day and night shifts. Production supplied items for export as well as for local trade. Items for export were taken to Hartford by oxen teams and shipped to the West Indies. The factory continued in operation until 1830 when work was suspended. One



source credits lack of fuel, wood, as a reason for cessation. At this time, it might be noted, the monopoly had ended, two other glass factories were in operation in the area, and subsequently several others were established, all within a fifty-mile radius of the Pitkin site.<sup>31</sup>

The numerous enterprises in which the Pitkin family engaged indicate the variety of undertakings in the state and typify the multiplicity of interests and flexibility which was conventional in families engaged in business in Connecticut. They show, too, the continuity of experience by which the enterprises of the 18th century contributed to the next. In 1747, Colonel Joseph Pitkin received a fourteen-year monopoly under which he established a forge for bar-iron and a mill for iron slitting. In these buildings, his son, Richard Pitkin, made powder for the Continental Army. In partial compensation for this, the 25-year monopoly for glass manufacture was awarded to his sons, William and Elisha. In 1770, Elisha had also built a mill which housed the state's first wool-carding machine run by power. Here his son, Joseph, made felt under a patent for making "cloth without yarn." Samuel Pitkin started the first successful cotton factory in Connecticut, which still exists as the Union Manufacturing Company. John O. and Walter Pitkin succeeded to John Sargent's silver, jewelry, and clock manufactory, continuing the successful marketing of hand-made silver, after mechanical aids had been introduced by their competitors and tried and discarded by them, through advertisements which persuaded the public that hand-made silver was more durable. In 1834, Henry and James F. Pitkin made the first watches produced in this country, the American lever, and trained workmen who contributed to the Waltham Watch Company.

In the same way Jeremiah Wadsworth illustrates the multiplicity of interests typical of individuals engaged in business in Connecticut.

Ironically, Connecticut's greatest industrial success, as judged by an ability to compete with imports and the extent of its subsequent development, attended an unsubsidized trade, clockmaking. In all, it is estimated that there were 100 clockmakers in Connecticut during the eighteenth century, who were engaged in making clocks with both brass and wooden works. The industry flourished because clocks could be supplied by the local clock shops at a substantially lower cost than

those imported. Two outstanding clockmakers were Thomas Harland of Norwich and Daniel Burnap, who had great ability as a brass worker, of East Windsor. The marked increase in this production after the Revolution, came in the manufacture of wooden clocks. Though these may have been made in Europe, as early as metal clocks, it appears that the first such clocks to be made in America may have been made in the vicinity of New Haven as early as 1715. The earliest surviving wooden clocks are those of Benjamin Cheney of East Hartford, who learned the trade from Seth Young of Hartford. Active makers of wooden clocks included Gideon Roberts and John Rich of Bristol, James Harrison of Waterbury, Wooster Harrison of Newfield, and Eli Terry (who became the outstanding maker of the next century) of Plymouth. These peddled their clocks throughout New England and as far south as New Jersey and Pennsylvania. This trade is considered an important base for the large-scale clock industry which developed in Connecticut in the next century.<sup>33</sup>

The expanding economy of the state was reflected in the development of a turnpike system which outlined the major routes of a modern highway system. The Mohegan Road between New London and Norwich, which was authorized by the General Assembly in 1792, was the second turnpike to be established in the United States. The Old Post Road established in Greenwich was the third.<sup>34</sup> Initially it was planned that these early roads would be operated by public authority and administered by commissioners responsible to the county courts. A road from Norwich to Rhode Island, also, was authorized on this basis, but funds for its necessary improvement were lacking. Only the Mohegan Road remained a public enterprise.

Private corporations undertook the management of the Old Post Road and the development and management of the Norwich-Rhode Island road and all roads chartered subsequently.<sup>35</sup> By the end of the eighteenth century, seventeen such companies had been incorporated and a general procedure for the incorporation of companies for this purpose had been established. The Assembly, acting upon a report of a committee appointed to survey an existent route and recommend alterations, would declare the improved road to be an open and public highway and would reserve the right to erect one or two turnpikes (toll-



gates) upon it. As capitalists became interested they would be incorporated to operate the road as a private enterprise after they expended a stipulated sum in improving it. In general, incorporators kept all net income from the authorized tollgates until they reimbursed themselves for all expenditures at 12 per cent per annum.<sup>36</sup>

A factor in Connecticut's economy was the land which the state controlled in the west. In 1786, Congress agreed to accept from Connecticut a cession of the right, title, interest, jurisdiction, and claim to a region in the Northwest Territory west of a line drawn 120 miles west of the Western boundary of Pennsylvania. This allowed Connecticut to retain her claim to the land between Pennsylvania's western boundary and the parallel line 120 miles to the west, which she wished to reserve for her use.<sup>37</sup> Connecticut's disposition of this Western Reserve was deliberate and business-like.

It was not until 1792 that Connecticut set aside 500,000 acres of the Western Reserve as additional compensation for residents along the coast who had suffered heavy losses from British incursions during the Revolution. Many of these residents had been granted some relief through abatement of taxes, and a general survey of losses had been undertaken by a committee of the Assembly in 1790. This survey was the basis of the allocation of the "Sufferer's Lands," as they came to be called, in the Western Reserve.<sup>38</sup> The westernmost part of the Reserve was chosen for this grant, in the hope, one authority suggests, that its settlement would hasten the occupation of the entire area and enhance the value of the entire Western Reserve.<sup>39</sup> Values did appreciate, and, although actual distribution and settlement of this part of the area did not precede other settlement, its anticipation may have been a factor in increasing values. Indians still posed a threat and lent importance to a buffer of settlement. The ingenious colonial method of sizing was adapted so that the size of a grant would be in proportion to the extent of suffering. The grantees were divided into 120 classifications based on the amount of their losses and grouped so that each classification represented approximately equal losses. Each classification was to be assigned by lot 120 tracts into which the land would be divided. Thereafter, the recipients were to be allowed to divide the land proportionately among themselves or to dispose of it as a whole or in any mutually agreeable



fashion.<sup>40</sup> The Indian titles to the land were not cleared until 1805, and another three years were required for the completion of surveying. The drawing was finally held November 9, 1808, thirty years after the first of the losses had been incurred.<sup>41</sup> Even then, there was not a rush to



(Courtesy Stamford Historical Society)

STAMFORD—FIRST HIGH SCHOOL, ONE ROOM USED IN 1873

occupy the land, partially, at least, because of the developing pattern of settlement of the Western Reserve.<sup>42</sup>

The state made no other disposition of the remaining land in the Western Reserve until 1795, with the exception of selling a 24,000 acre "Salt Springs Tract" to General Samuel Parsons.<sup>43</sup> Although a sale price of not less than three shillings per acre had been established, all other applications for purchase were refused. The *Courant* criticized the policy of holding the lands while waiting for a rise in value. The value did rise from a reported \$225,000 to one million dollars in 1794.<sup>44</sup> Another factor delaying the sale of the lands was the political situation which arose from Great Britain's attempt to interrupt the trade of the United States with France and the French possessions and the attempts



of the British Governor of Canada to incite the Indians of the Northwest. Because of this, the committee for the sale of western lands was instructed in May 1794 to suspend all negotiations for the sale of lands.<sup>45</sup> Relations with England became more amicable and General Anthony Wayne had subdued the Indians in the Ohio territory by May 1795.

In 1795 then, after a committee had been authorized to negotiate with anyone desirous of purchasing the territory, the state sold the land to a group of forty-eight speculators known as the Connecticut Land Company.<sup>46</sup> At least fifteen of the purchasers had served at least one year in the Connecticut legislature and two had served in the Congress of the United States. The Company made plans for the survey of the territory, its division into townships, and its subdivision into lots for purchase by the settlers. Moses Cleveland, who was named agent of the Company, arrived with the surveying party at the Reserve on July 4, 1796. Settlers began to arrive soon after, and, by 1800, about one thousand people had settled there, beginning settlement in 35 of the 103 townships. The widely scattered settlements resulted from the fact that once the proprietor received his land he was responsible for its distribution.<sup>47</sup>

Connecticut's other involvement with western lands came as a result of the state's attempts to build a "large and convenient" State House in Hartford. The building was not completed when monies raised by public subscription and by a lottery were exhausted. The Assembly then decided in July 1795 to grant to Jeremiah Halsey and Andrew Ward a quit claim to a parcel, or gore, of land about two miles wide and over 200 miles long which extended along the northern boundary of Pennsylvania and to which Connecticut was thought still to have some basis for claim under its sea-to-sea charter. In return, Halsey and his associates posted a bond of \$40,000 as surety that they would complete the State House. The work was attacked with energy, but within two months their resources were exhausted. This necessitated the formation of the Connecticut Gore Land Company, in which each contributor held from one-twelfth to five-twelfths interest. New capital for continuing construction of the State House was provided by the subscribers at the rate of \$300 for each twelfth interest. The next year stock in the Company was offered for sale, first in amounts of one-ninety-

sixth of the total and later as 381 shares, or one-four-hundredths as they were commonly identified. The value of the tract had increased from fifty to four hundred thousand dollars.<sup>48</sup>

In the meantime, the company's title was called into question as 50,000 acres of land had been put up for sale, and twenty-five deeds had been passed. Some were attempting settlement in the face of a threat by New York to use militia to prevent anyone from intruding upon that portion of the Gore tract which she claimed. A court test loomed, but decision was postponed as the defendants from New York were able to obtain continuances for four years while they attempted to have the case declared outside the jurisdiction of the Connecticut Circuit Court. Preliminary actions of this court and of the United States Supreme Court implied a final decision in favor of the Gore Company, especially since the Connecticut General Assembly had resolved in 1797 that Connecticut would transfer jurisdiction of the area to New York once the matter of ownership was settled so that no question of jurisdiction complicated the issue. The last continuance in 1799 was granted in the expectation that settlement would be achieved out of court by commissioners appointed by Connecticut and New York.<sup>49</sup>

An official act of the State of Connecticut in which it seemed that politics replaced legalisms and profits replaced principles, resolved the matter in New York's favor, however, before the appointed commissioners could meet to consider the matter. Since Connecticut found it difficult, because of distance, to exercise the jurisdiction she had retained over the land in her Western Reserve, she sought in 1797 to transfer jurisdiction to the United States. The United States did not agree to accept this jurisdiction while leaving Connecticut in control of the land until April, 1800, and then only with the proviso that Connecticut within eight months should renounce all jurisdictional and territorial rights to all lands west of the existent east bounds of New York. This wording, which, it has been suggested, was influenced by delegates from New York, included renunciation of all rights in the Reserve and in the Gore with the right of soil being granted anew only to land in the Reserve. The Assembly decided in May the agreement was necessary in order that Connecticut would be sure of receiving payment for the land in the Reserve, for although she had sold this in 1795 to



the Connecticut Land Company, payment was not due until September 1800. Although this would have fallen within the eight months allowed Connecticut, an additional urgency may have been added to the situation by the reactions of the settlers in the Reserve. Some of these wished to assume juridical rights and form a new state and others felt the settlers had the right to choose to be governed under the authority of the Northwest Ordinance. It may have been remembered, also, that the Federal Congress had assumed authority over Presque Isle without waiting for a formal cession from Connecticut. The money which would have been endangered by any of these eventualities had been allocated to the school fund. When the bill was transmitted to Connecticut by Charles Chauncey, it was recommended that she comply and compensate the Gore proprietors for any consequential damage they might suffer.<sup>50</sup>

This Connecticut Act created a changed situation from that which existed when the contract had been made. It was this action on the part of the state which, alone, seemed to invalidate the Gore Company's title claims. The Company had completed the State House according to the original agreement at a cost of from \$15,000 to \$25,000, and, premising its actions upon the constancy of factors integral to the contract, it had, also, made surveys, proceeded as far as possible with clearance of Indian titles, and sustained court suits at a cost of more than \$20,000. The value of the company's shares had risen to represent \$300,000. They now dropped from \$1000 to \$70 a share. The Gore proprietors requested compensation, acknowledging that they purchased at their own risk, but pointing out that "the State received a valuable consideration and then, by legislative act, had deprived them of the property they purchased."<sup>51</sup> All requests for relief were denied until, in 1804, the Assembly granted \$40,000 without interest, payable in four equal annual payments.<sup>52</sup> The state explained that it "would undoubtedly have been willing to have held the jurisdictional right for the benefit of the purchasers of the soil had it not interfered with a far greater interest of their own."<sup>53</sup>

Changes in laws of settlement in Connecticut towns had economic implications. Whereas, early restrictions on choice of residence may even have contributed to pauperism, in the early federal period it be-

came possible for one to live wherever he could make a living.<sup>53a</sup> Connecticut towns still remained somewhat closed and exclusionist although the laws governing choice of residence and acquisition of legal settlement were liberalized. Anyone might gain residence in a town through a vote of the Inhabitants, the consent of local officials, or the appointment to and execution of some public office during residence. In addition, an Inhabitant of another state could secure a legal settlement by possession of unencumbered real estate valued at \$334.00 during a year's residence, and an Inhabitant of another Connecticut town could secure settlement on the basis of a property qualification of \$100.00 held during a year's residence. Moreover, a Connecticut Inhabitant could secure a legal settlement by a six years' residence if he were self-supporting. A foreigner could not claim legal settlement on the basis of property qualifications, however, and could only hold or buy property with the permission of the General Assembly.<sup>53b</sup>

The most important provision was that which based settlement on a period of residence, the right of commorancy. In 1792, it was provided specifically that a Connecticut Inhabitant could now remove to and reside in any place of his choosing for a period of six years without being subject to prosecution if he were self-supporting. At the end of this time he automatically acquired a new legal settlement. By this, the time requirement for earning settlement was increased, but a person could not be prevented from staying this requisite time so long as he was able to support himself, whereas before he could have been prosecuted and removed on such other grounds as the possibility of failure to be self-supporting.<sup>53c</sup> It seems possible that this could have been suggested and argued by an established businessman to avoid the settlement of a competitor. With this eliminated competition could become more free.

Exclusion had always been in part based on moral reasons but also was designed to avoid the responsibility which would devolve upon the towns for those who might become public charges. The underlying principle of Connecticut poor relief was that it was primarily a town responsibility, and during the period of early statehood the State guarded its liability ever more tightly. The State was obligated to support all paupers without settlements in Connecticut. In 1820, when the early distinction between Resident and Inhabitant may have become blurred



and the determination of legal settlement complicated by the new settlement laws, especially those based on commorancy, the State explicitly excluded anyone born in Connecticut or adjoining states, anyone who had ever been an inhabitant of a Connecticut town, and anyone for whom any individual or town was responsible. It has been suggested that towns were loosely charging against the state costs which they should have assumed in these cases. State aid was in any case limited to a maximum of \$1 a week for those over 14 years and to fifty cents a week for those under 14. They were, however, cared for actually by contract with the lowest bidder. Even for unsettled persons the state limited its responsibility to a three months' period, except in the case of an illness beginning in this period and lasting longer. After this period, the town was responsible unless it had the person removed.<sup>54</sup> Yet, the trend toward ensuring that relatives would bear the burden of support was actually limited by several court decisions. Only blood relations, not relations by marriage, were liable, assessment had to be prospective rather than reimbursement for past expenditures.<sup>55</sup> A person's estate had been made liable for his support and could be disposed of when necessary in accomplishing this. After statehood it was also provided that the estate of a town pauper when not exceeding \$30 could be disposed of by selectmen for use of town, if no one took out administration within ninety days.<sup>56</sup>

There existed three methods of town relief, in one's home, in the almshouse or other place designated by the town, or by the contractor for the town poor.<sup>57</sup> The selectmen were overseers of the poor, were required to furnish aid to all in need, even though the person were not an inhabitant, and notify the town responsible, if this were known. If this were neglected after he had received notification of need, the selectman was fined \$7.<sup>58</sup> Workhouses were authorized in individual towns up until 1813 when general authorization was granted. Beggars and vagrants, deserters of families, fakirs, and prostitutes and drunkards were to be confined in these workhouses. Sentences were for 40 days on first conviction, and additional time, not exceeding 40 days, for a second offense. Also stubborn and rebellious minors could be sentenced for a maximum of 30 days. The object of a workhouse was the reformation of a prisoner, and there was belief in the efficacy of the workhouse to do

this. Therefore the master was obligated to compel the prisoner to work, even if the prisoner<sup>59</sup> promised to pay for his food.

Insanity was accepted as a basis for acquittal or pardon in the case of murder in 1793. However, the selectmen of a place of residence of the afflicted were responsible for preventing a person who was dangerously insane from going at large, even if it were necessary to confine him in jail. Concurrently, however, the authority to commit such a person to a workhouse was withdrawn. In 1797, confinement to jail was also forbidden unless the person were criminally insane, but no substitute was provided. There was a reported instance in 1786 of a person who had been kept chained for 20 years, yet lack of provision was as much due to lack of knowledge as to what would help as to indifference.<sup>60</sup>

The care and custody of prisoners remained essentially as in pre-revolutionary days. The subterranean caverns of the copper mines in the present town of East Granby were converted into a public jail, Newgate Prison, in 1773. Prison breaks and fires punctuated the history of the institution. In 1790 steps were taken to render it a permanent establishment through the improvement of its facilities and the grant of greater autonomy to its overseer. Although, in May, 1799, Governor Jonathan Trumbull pleaded for the separation of the more hardened convicts from the rest of the prisoners, there were no fundamental alterations in the prison until its abandonment in 1827.<sup>61</sup>

During the Revolutionary War the citizens of Danbury had considered it "a palpable absurdity" to complain of the attempts of the British to enslave them "while they were actually enslaving others."<sup>62</sup> Emancipation by individual masters had been permitted in Connecticut since 1777 and the practice was accelerated through the use of slaves as substitutes during the war. Because of the practice of emancipating slaves after they were too old and broken to work effectively, masters had been made responsible for their support if they could not support themselves after emancipation. It was provided that this responsibility could be escaped if permission were secured from selectmen before emancipation, and in 1792 it was specified that permission could be obtained to liberate a slave who was not less than 25 nor more than 45 years old, if he were in good health and indicated that he wanted his freedom.<sup>63</sup>



A step toward abolition of slavery in the state was taken in March 1784 when children born of slaves after that date would be freed when they reached 25 years of age. It was asserted that sound policy demanded "that the abolition of slavery should be effected as soon as may be consistent with the rights of individuals and public safety."<sup>64</sup> As interpreted by the courts such children held the status of apprentices until they reached 25 years. After 1797, the age was reduced to 21.<sup>65</sup> Although the importation of slaves for sale was prohibited as early as 1774, citizens of the state engaged in the slave trade until it was specifically prohibited in 1788, and the transportation of slaves outside the state for the purpose of sale was forbidden in 1792.<sup>66</sup> The proponents for the abolition of slaves pressed for immediate action in 1794. The state's first abolition society, the Connecticut Society for the Promotion of Freedom and the Relief of Persons Unlawfully Held in Bondage, had been organized in 1790 and was instrumental in having a proposal submitted to the General Assembly which would have freed after April 1, 1795 all those held as slaves. The bill became ensnarled in the legislative process and overshadowed by the controversy over western lands.<sup>67</sup>

In case of divorce, it was customary to grant support for the wife and children, also, it was customary for a man adjudged the father to be responsible for contributing toward the support of a bastard child.<sup>68</sup> A man was also in this period allowed to marry his wife's sister even though the General Association of the Congregational Church opposed the innovation.<sup>69</sup>

To discourage gambling, a loser could within 3 months sue for the recovery of his losses. Indeed, if he failed to do so, any other person could sue and recover treble the value of the losses with the cost of the suit to be borne by the winner. One-third of the recovered goods belonged then to the person bringing suit, two-thirds to the state.<sup>70</sup> Such unseemly acts as tumbling, rope-dancing, puppet shows, and feats of uncommon dexterity or agility of body were forbidden.<sup>71</sup>

The separation of Church and State was still two decades away, but, by 1800, significant gains had been made. Ezra Stiles, in his election sermons of 1783 predicted the changing "fashion in religion" and declared that cries of orthodoxy would not suffice but that scriptures must be explained on logical, rational grounds to appeal to criti-

cal minds. Ethan Allen, in his *Oracles of Reason* declared that he was not a Calvinist and attacked Puritanism and its preachers. Infidelity and universalism had come in with the Revolution; free thinking and free drinking, alike, were in vogue.<sup>72</sup> The attitudes forced a degree of toleration.

A general toleration act was passed in 1784. The failure to mention the Saybrook platform was a victory for the Separatists and freed them to organize under the same conditions as the Congregationalists. Those presenting a certificate of membership declaring the individual a member of some regular religious society recognized by law was exempt from the payment of the Congregational tithe. Newcomers were permitted a wider latitude in the selection of their religious preferences. Non-Congregational churches were permitted to control their own finances. It is the view of Purcell that the legislation kept some within the church who had been inclined to give it up altogether. It, no doubt, tended to increase membership in the dissenting churches, but the religious life of the state was still thoroughly regulated. The union of Church and State continued, with taxes levied for the support of the clergy and fines imposed for the neglect of religious observances.<sup>73</sup> The dissenters were not completely satisfied.

Support for additional liberty came from two churches which had been nationalized following the American Revolution. The Methodist and Anglican churches were organized as American institutions in 1784. The Church of England continued in Connecticut as the Protestant Episcopal Church of America. Methodism began in Connecticut when Jesse Lee established a society in Stratford. During the 1790's, Bishop Francis Asbury made several tours through Connecticut. The frigid receptions and the petty persecutions which he endured apparently served to increase the determination of the Methodists, because by 1800 they seemed to have achieved a firm basis.<sup>74</sup>

The dissenters identified themselves in favor of division of Church and State. The Episcopalians raised a cry of persecution when, in 1791, the legislature passed an "Act to enforce the observance of days of public fasting and Thanksgiving." In 1795, the Church in New London refused to celebrate in accordance with Washington's Thanksgiving proclamation because it fell in the Lenten season. This particular point



was resolved when Good Friday was permanently established as an annual fast day.<sup>75</sup>

The Certificate Law became the focal point of attack. When the Toleration Act had been passed in 1784, it had been believed necessary to insure that dissenters would discharge their responsibility to some church even though relieved from paying the Congregational tithe by requiring a certificate to indicate participation therein. There is no doubt that some turned this into license to relieve themselves from financial responsibility to any church. As these continued to demonstrate their "radical" views and as the new sects continued to spread, the Certificate Law was enforced more stringently.<sup>76</sup> The administration of the law remained in the hands of justices who were staunch members of the Standing Order. That there were persecutions there is no doubt. Then, too, from the beginning, to be identified as "a certificate man" was to incur social opprobrium and a political liability.<sup>77</sup>

The irritations were increased in 1791 when the state required a signature of civil officials on the certificates allowing exemption from direct contributions to the Congregational church. Formerly, the certificate had to be signed by an officer of the dissenting church. Now the "Standing Order" was more strongly entrenched than ever since most of the Justices of the Peace were Congregationalists.<sup>78</sup> As Greene points out, in his discussion of the development of religious liberty in Connecticut, "A veritable doubt, spite, malice, prejudice, or mistaken zeal might determine the granting of a certificate to a dissenter."<sup>79</sup> Dissenters determined to return to the Assembly representatives who would stand for religious liberty. Within six months the law was repealed. After heated debate and legislative jockeying, permission was given each dissenter the privilege of writing his own certificate, or "sign off" as it was called. Still no relief was granted to those who were far removed from churches of their own faith, and judicial authorities still retained excessive powers in disputed cases.<sup>80</sup>

The Baptists were particularly embittered by an act to force all religious groups to contribute to the support of Congregational missionaries. Missionaries had been established as early as 1774 and were reestablished in 1787-88 after the war's interruption. By 1792, however, there was need for better organization and financial support. Accord-

ingly it was provided that for three years a collection for their support would be made on the first Sabbath in the month of May in all of the churches in the state. The Baptist protest was of no avail, and in 1798 similar support was demanded for the effort to christianize the Indians.<sup>81</sup> John Leland of Cheshire, Massachusetts, who had recently removed from Virginia where he had supported the separation of church and state, became the spokesman for Connecticut Baptists. He urged them to join to bring about reform, freedom of conscience, and complete disestablishment of the church.<sup>82</sup>



MONTOWESE BAPTIST CHURCH,  
NORTH HAVEN

The religious conflict was reflected in the consideration of matters which were not exclusively religious as in the management of Yale University. The orthodox were alarmed at evidences of unconformity at Yale, which not only trained the Congregational ministers but exerted influence in every field of endeavor through its other graduates and until the establishment of the Litchfield Law School in 1784, Yale was the only institution of higher learning in the state.<sup>82a</sup> The dissenters, on the other hand, objected to enforced conformity. Ezra Stiles had demanded as a condition of his acceptance of the Presidency at Yale in 1778 that the religious tests in force since 1753 be discontinued. These had required conformity to the catechism and confession of faith of the established church. When Stiles assumed the Presidency the students who had fled New Haven in 1777 returned: the Freshmen from Farmington, the Sophomores and Juniors from Glastonbury, and the Seniors from Wethersfield. Complaints of dissenters continued, however, particularly because the government of the college was solely in the hands



of ministers. This was a factor in the legislators' refusal to extend financial aid to the college in the 1780's.

The financial affairs of the college made state aid a matter of urgency, and the college was granted an appropriation of \$40,000, but only at the expense of adding eight civilians to the governing board. Stiles had feared that the state would demand the addition of a majority of laymen and was relieved that the demand was for only eight, to include the Governor, Lieutenant-Governor, and the six senior state members of the council. These laymen were still a minority and the basic religious character of the college was retained. The funds received were used to establish three new professorships, construct Union Hall, and increase the salaries of the tutors. The grant was evidently unpopular for only half of the money was remitted. When, in 1795, President Dwight requested that the other half be made available, the lower house did not accede until the following Spring after it heard a report of a joint committee which recommended that the sum be granted. The skepticism and infidelity characteristic of the time were so greatly in evidence at Yale at the end of Stiles' Presidency that when Timothy Dwight assumed the position in 1795 it was said that there was but one Christian at Yale. Under Dwight's leadership, however, the institution once again assumed the responsibility of defender of the standing order.<sup>82b</sup>

The violent opposition of the dissenters, especially of the Baptists, was aroused in 1793 by an attempt to appropriate the interest on the money received from the sale of western lands to the various denominations in a manner to be decided by the Assembly. It was believed that this would result in a further entrenchment of the established church. Town meetings, sermons, and pamphlets discussed the issue. Then, in 1795, the Western Land Act was altered to provide that the interest on receipts from the sale of land should constitute a common school fund for the state<sup>83</sup> and should be paid to school societies to consist of interested residents qualified to vote in town meeting. An exception in this law provided that if two-thirds of the legal voters in a school society voted to use the money for the support of the ministry the society could appeal to the Assembly. Accordingly the School Society of Farmington was granted permission in 1799 to use a portion of its share of the fund

in this way.<sup>84</sup> The first dividend of \$60,403.78 was paid in 1799.<sup>85</sup> By 1810 the amount paid to the school societies had totaled \$456,757.44 or an average of \$35,135.19.<sup>86</sup> This replaced any state school taxes after 1820.<sup>86a</sup>

The school societies established in 1794 were formally separate and distinct from ecclesiastical societies, which had been responsible for schools since 1727 when they were created as separate from town society. In the opinion of one authority, the school societies were the old ecclesiastical societies under a different name.<sup>87</sup> In his study of state support of teacher education in Connecticut, Carl Bomhoff contends that, except that the geographical boundaries of the school society were often identical with those of the ecclesiastical society at first, the new societies *were* separate and distinct from the Congregational parish organization. He considers the Congregational clergy to have withdrawn from educational leadership, the new societies to be less interested, and the school system to have suffered therefor.<sup>87a</sup> After 1794, the school societies were empowered to establish schools and their members were allowed by vote to tax themselves for the support of the schools.<sup>88</sup> In 1798, each of the school districts was further authorized to appoint school visitors to supervise the school masters and the instruction of youth.<sup>89</sup> The law requiring that schools must meet for a specified number of months was omitted in the new arrangements for secularization and decentralization. Local supplementary taxes were not collected, but rather under rate bills parents were charged on the basis of their children's attendance. Under this arrangement, children were withdrawn from public schools and enrolled in private.<sup>90</sup> There was a "desertion of the school meeting" as interest in public education decreased<sup>91</sup> and the public schools came to be regarded as pauper schools.<sup>91a</sup>

The 1798 legislation which also authorized the School Societies to institute schools of a "higher Order," provided "a link in the evolution toward the high school"<sup>92</sup> and terminology to replace the earlier designation "grammar school." The phraseology of the law implied that the objective of this "higher" education was the improvement of society through the development of good citizens and was not essentially college preparatory. Training in Latin and Greek was offered only "on particular desire." "For the common benefit of all the Inhabitants,"



however, instruction in reading, penmanship, the "Rudiments of English Grammar in Composition," arithmetic, geography and the first principles of religion and morality, were to be offered in preparation "for usefulness and Happiness in the various Relations of Social Life."<sup>93</sup> The form and content of education was, perhaps, determined by the new texts being introduced. These included Robert Rose's English and Latin Grammar, Meigs' Geography, and Noah Webster's speller, grammar, and reader. The grammar is described by Webster's biographer as a "learned, pugnacious book beyond the reach of the children . . . but also of the schoolmasters, who, Webster averred were illiterate. . . ."<sup>94</sup>

The public schools and particularly the higher schools were supplemented by academies which began to be established shortly before the Revolution and which rapidly increased in number after the war. It was hoped that they would encourage a broader curriculum. It was charged, however, that the knowledge which some of them taught was "undefined" and that they were imperfect and "did not so well as they easily might direct the education which they profess to communicate." The Lebanon Academy was established by Jonathan Trumbull in 1743 and was followed in 1774 by the Union School of New London. Other academies established during the period included the Staples Academy of North Fairfield, 1781; Greenfield, 1783; and the Plainfield Academy, 1784.<sup>96</sup>

The dissemination of information was furthered by the beginning of additional newspapers following the war. Eight papers were added to the *New London Gazette* (founded 1763), the *Connecticut Courant* (1764), the *Connecticut Journal* (1767), and the *Norwich Packet* (1773).<sup>97</sup> The first newspaper begun in the state, the *Connecticut Gazette*, which had begun in 1755, had been discontinued in 1768 for financial reasons. Those papers begun during the French and Indian wars were primarily military journals, and all of them, with the exception of the *Norwich Packet*, which sought to maintain a neutral position on the eve of the Revolution, were stout defenders of the colonial cause. From the close of the Revolution until the end of the century almost thirty papers were founded, only four of which continued for a significant number of years. These were the *American Mercury* of Hartford, the *Middlesex Gazette* of Middletown, the *Windham Herald*

and the *Norwich Courier*. Not only was the lack of financial resources a factor in explaining the mortality rate, but also the willingness of the newspapers' founders to plunge into debate on the public issues of the time. Most of the papers were to a degree at least federalist in their political sympathies. Exceptions were the *American Mercury* and the *New London Bee*. It is estimated that by 1800 there were 20,000 copies of newspapers in circulation weekly. The very discussions which contributed to the demise of many journals, also contributed to the development of a "Connecticut Mind."<sup>98</sup>

Society contained another articulate group reinforcing arguments for the existent status. The tone of the society described by Vernon Parrington as "a little world sadly wanting sweetness and light" is, perhaps, most clearly discernible in that group of writers known collectively as the Hartford Wits. They created what is regarded as the first American school of poetry, and through their stilted verse they voiced their prejudices and asserted the dogma which they hoped the Connecticut of the 1790's would follow. The nineteenth century was pressing upon them, but they stood as a counterforce which they hoped would stem its impact. Parrington considers the Hartford Wits a "self-satisfied embodiment of the outworn," significant for their articulation of the conservatism of the day. They grasped, stated, and defended their conception of life and society, which had evolved through centuries of provincial experience, against the onrush of new liberalisms. The content of their literary works helps to clarify the issues angrily debated during the decade. The Hartford Wits defended New England Federalism, Yankee conservatism, Connecticut's standing order. They were imbued with the patriotism of the new nationalism and at first wished to create a new national literature which would be as independent as the new government. They were frightened by the extremes of French liberalism into a defense of the existent status and a dependence upon the satirical forms developed in England. "They sharpened their quills to a needle point, dipped them into bitter ink" and employed them in defense of the Revolution and the cause of federal union and in opposition to populism and Jeffersonianism.<sup>99</sup>

The spawning ground for the group was Yale and the membership of the group varied. The more important members were John Trum-



bull, Timothy Dwight, Joel Barlow, Lemuel Hopkins, David Humphreys, Richard Alsop, and Theodore Dwight. Parrington suggest that of these, Trumbull was the most gifted, Barlow the most original, and Timothy Dwight the most prolific. One of the group, Joel Barlow, outlived the narrow provincialism and became a devoted defender of freedom and a promoter of education. In this sense he was symbolic of the transition which was to come in Connecticut life.<sup>100</sup>

The standing order, dominant federalists, closed ranks as the depredations on American commerce continued and when knowledge of the XYZ Affair was received. Although the shipowners suffered heavily from seizures by both the British and the French, Connecticut newspapers usually reported only French seizures. The economic losses were regarded as great, but Governor Oliver Wolcott based his recommendation for strengthening the defenses of the state on "evils of still greater magnitude" and emphasized the necessity of protecting the national honor. The federalist newspapers slanted their articles, aghast at the French who had "set at nought the Laws of God" and those in the General Assembly who "were mad, weak, or wicked enough to applaud all the French measures toward this country."<sup>101</sup> The Connecticut General Assembly, in a letter to President Adams, applauded the firmness of the national government in dealing with the XYZ Affair. Governor Jonathan Trumbull, Jr., in his address to the Assembly in October, 1798, warned of the French arts of seduction and intrigue and declared that "an intimate connection with a nation of infidels and atheists . . . is to be avoided as the worst of evils."<sup>102</sup> In the September election, Connecticut voters were asked to vote in support of the Adams administration. "A Freeman" writing in the *Connecticut Courant* particularly warned against returning Joshua Coit who alone of the Connecticut delegation had been "very capricious" in his attachment to Adams. Providentially, perhaps the alarmed author thought, Coit died and was replaced by Jonathan Brace.<sup>103</sup>

The continuance of federalist dominance for a few years was re-insured by the resolutions passed by the Virginia and Kentucky legislatures. With these, the Republicans under the leadership of Jefferson and Madison had countered the Alien and Sedition laws passed by the Federalists in the national Congress in 1798. Although passed under the



aegis of national security, the Alien and Sedition laws were in part intended to avoid a victory of the Republicans at the polls. The Virginia and Kentucky resolutions charged that the Alien and Sedition Acts



*(Courtesy Conn. Devel. Comm.)*

HARTFORD—GOVERNOR'S FOOT GUARD AT TRINITY ARCH

were unconstitutional. The Virginia Resolution asserted that states might interpose their authority against such infractions of the constitution; the Kentucky resolution called upon other states to declare the Acts "void and of no force." Connecticut, by unanimous vote of the Assembly, refused to concur with the Virginia resolves. When the Kentucky resolution was presented, however, there were two dissenters



from the Connecticut reply,—Andrew Hull of Cheshire and Ebenezer Bacon of Middletown. Feelings were intense enough that members who were not present for this vote were accused of having deliberately absented themselves, a foreboding of the stronger challenge from Republicans with which the Federalists would have to reckon. For the moment, however, the Federalists were still entrenched.<sup>104</sup>

Connecticut, in 1799, was essentially a one party state. By the end of the decade the Republicans had become an organized political force. Opposition to the standing order had been slowly emerging since the close of the Revolution. Until the end of the century such opposition was, at most, anti-Federalist, not Republican. The early post-war charge that the charter of 1662 did not in fact constitute a legal government for the state was kept alive. It was charged, too, that the executive branch of the government was dominated by a few towns; that the power of government was too much concentrated in the General Assembly; that the Assembly was too large for effective work; that the ancient election system, carried over from colonial days, thwarted public will; and that the council was secret and unpatriotic. Yet Republicanism was not yet quite acceptable and as late as 1796 Gideon Granger and Ephraim Kirby considered it wiser to run as independent candidates. Although Governor Trumbull warned in 1799 of “unguarded passions,” the standing order felt secure. The organization of the Republicans in 1800 prepared for the fall of federalists from dominance by 1817.<sup>105</sup>

#### NOTES—CHAPTER XV

<sup>1</sup> *State Rec.*, Vol. VI, pp. 498-99; Vol. VII, p. 476.

<sup>2</sup> *Ibid.*, p. 178.

<sup>3</sup> *Ibid.*, Vol. VIII, pp. 96-97.

<sup>4</sup> *Ibid.*, Vol. VI, pp. 498-99; Vol. VII, pp. 96-97; Vol. IX, p. 84, note.

<sup>5</sup> *Ibid.*, Vol. VII, p. 246, note.

<sup>6</sup> *Ibid.*, Vol. VII, p. 104, note.

<sup>7</sup> *Ibid.*, Vol. VII, p. 255, note.

<sup>8</sup> *Ibid.*, Vol. VIII, pp. ix-x, 94-95, 141.

<sup>9</sup> *Ibid.*, Vol. VII, p. 385. In voting each stockholder was allowed one vote for one share if he held no more than two shares, one vote for each two shares above two and not exceeding ten, one vote for each four shares above ten shares, except that no one (*i.e.*, person, copartnership, or body politic) could have more than ten votes.

<sup>10</sup> Richard J. Purcell, *Connecticut in Transition, 1775-1818* (Washington: 1918), pp. 98-111; Francis Parsons, *A History of Banking in Connecticut*, Tercentenary Commission of the State of Connecticut (New Haven: 1918), pp. 1-9.

- <sup>11</sup> *State Rec.*, Vol. VIII, p. 289; Vol. IX, pp. xiii, 92-95. Marine insurance companies were incorporated at Hartford, Middletown, and Norwich in 1803, and in New London in 1805. See Archibald Ashley Welch, *A History of Insurance in Connecticut*, Tercentenary Commission of the State of Connecticut (New Haven n.d.), pp. 4-5.
- <sup>12</sup> Purcell, *Connecticut in Transition*, p. 113.
- <sup>13</sup> *Ibid.*; Timothy Dwight, *Travels in New England and New York*, Vol. I, (London: 1823), pp. 157-58.
- <sup>14</sup> Weeden, *Economic and Social History*, Vol. II, pp. 833-34.
- <sup>15</sup> Clark, *History of Connecticut*, p. 313.
- <sup>16</sup> Dwight, *Travels*, Vol. I, p. 157.
- <sup>17</sup> *State Rec.*, Vol. VII, pp. 211, 257; Vol. VIII, pp. 91, 436.
- <sup>18</sup> Purcell, *Connecticut in Transition*, pp. 113-15; *State Rec.*, Vol. VIII, pp. x, 1, note, 142.
- <sup>19</sup> Olsen, *Agricultural Economy*, pp. 17-20; Jensen, *New Nation*, p. 284; Purcell, *Connecticut in Transition*, pp. 119-21.
- <sup>20</sup> *State Rec.*, Vol. V, pp. 57, 116, 400, 477; Vol. VI, pp. 83, 197, 321, 323-24, 328, 406-407, 501.
- <sup>21</sup> Clark, *History of Manufacturing*, Vol. I, p. 220.
- <sup>22</sup> Joseph Davis, *Essays in the Earlier History of the American Corporations*, Nos. I-III, Vol. II, (Cambridge: 1917), pp. 266-67, also cited in *State Rec.*, Vol. VI, pp. 520-21.
- <sup>23</sup> *Ibid.*, pp. 321-22, and note.
- <sup>24</sup> Davis, *American Corporations*, Vol. II, pp. 266-67, quoted in *ibid.*, pp. 406-407.
- <sup>25</sup> Arthur H. Cole, *The American Wool Manufacture* (Cambridge, 1926) pp. 64-69; *State Rec.*, Vol. VI, pp. 204-205, 520-21.
- <sup>26</sup> Platt, "Wadsworth," pp. 222-23.
- <sup>27</sup> *State Rec.*, Vol. VI, p. 501; Vol. VII, pp. 139-40.
- <sup>28</sup> *Ibid.*, p. 139; Platt, "Wadsworth," p. 233.
- <sup>29</sup> *State Rec.*, Vol. VIII, pp. 17-18 and note.
- <sup>30</sup> *Ibid.*
- <sup>31</sup> George S. and Helen McKearin, *American Glass* (New York: 1941), pp. 124-26; N. Hudson Moore, *Old Glass, European and American* (New York: 1935), pp. 315-16.
- <sup>33</sup> Penrose R. Hooper, *Early Clockmaking in Connecticut*, Tercentenary Commission of the State of Connecticut (New Haven: c. 1934 by P. R. Hoopes), pp. 3-7.
- <sup>34</sup> *State Rec.*, Vol. VIII, p. xxi. The first turnpike established in this country extended from Alexandria, Virginia, to the Blue Ridge Mountains.
- <sup>35</sup> *Ibid.*, p. xxii.
- <sup>36</sup> *Ibid.* The details of the construction in this century of particular turnpikes can be found by consulting the indexes to Vols. VIII and IX of the *State Records*.
- <sup>37</sup> In 1784, Connecticut delegates to Congress were authorized to cede those lands claimed by Connecticut in the Northwest Territory which were west of a line 120 miles beyond the western boundary of Pennsylvania. Lands between the Pennsylvania boundary and this line 120 miles to the west were to be specifically reserved for the use of Connecticut and to satisfy the claims of Connecticut soldiers. Because the Continental Congress objected seriously to this proposal, the General Assembly in the following year authorized a cession of land which omitted a specific reservation, but which renounced rights only to the territory beyond the 120 mile line. Again this met with objections in Congress, since Connecticut had not ceded jurisdiction as well as land. *State Rec.*, Vol. VI, pp. 104-105, 171-72, note; Vol. V, pp. 277-78.



- <sup>38</sup> *State Rec.*, Vol. VII, p. 449, note; B. A. Hinsdale, *The Old Northwest, With a View of the Thirteen Colonies as Constituted by the Royal Charters*, (N. Y.: 1888).
- <sup>39</sup> Harriet Taylor Upton, H. G. Cutler, *et al.*, *History of the Western Reserve*, Vol. I, (N. Y.: 1910), pp. 10-11.
- <sup>40</sup> *State Rec.*, Vol. VII, pp. 448-72; Hatcher, *Western Reserve*, p. 61.
- <sup>41</sup> "Connecticut Land Company and Accompanying Papers," Tract No. 96, *Annual Report of the Western Reserve Historical Society*, 1916, p. 90.
- <sup>42</sup> Hatcher, *Western Reserve*, pp. 62-75.
- <sup>43</sup> *State Rec.*, Vol. VI, pp. 237-38; Harriet Upton, *Western Reserve*, Vol I, p. 10.
- <sup>44</sup> *Connecticut Courant*, Oct. 21, 1791, May 19, 1794, and June 2, 1794.
- <sup>45</sup> *State Rec.*, Vol. VIII, p. 145, note.
- <sup>46</sup> *Ibid.*, pp. 250-51.
- <sup>47</sup> Hatcher, *Western Reserve*, pp. 62-75.
- <sup>48</sup> Albert C. Bates, "The Connecticut Gore Land Company," *Annual Report of the American Historical Association for the Year 1898* (Washington: 1899), pp. 141-48.
- <sup>49</sup> *Ibid.*, pp. 148-56.
- <sup>50</sup> *Ibid.*, pp. 157-59.
- <sup>51</sup> Quoted in *ibid.*, p. 161.
- <sup>52</sup> *Ibid.*, pp. 159-161.
- <sup>53</sup> Quoted in *ibid.*, p. 159.
- <sup>53a</sup> Edward Warren Capen, *The Historical Development of the Poor Law of Connecticut*, Studies in History, Economics, and Public Law, Columbia University (New York: 1905), p. 53.
- <sup>53b</sup> *Ibid.*, pp. 97-106; *State Rec.*, Vol. VII, pp. 66-69.
- <sup>53c</sup> Capen, *Poor Law of Connecticut*, pp. 97-106. In 1810, the requirement for payment of taxes during this six years became an additional requirement for receiving legal settlement but was not a ground for removal, and thus did not interfere with freedom of residence. In 1821, non-payment of these taxes was not listed as a bar to settlement but became a ground of removal during the six years. If not exercised, then legal settlement was achieved, apparently. In 1830, there was a reversion to the 1810 provision, withdrawing non-payment as a ground for removal but leaving it as a ground for not securing settlement.
- <sup>54</sup> *Ibid.*, pp. 138-43.
- <sup>55</sup> *Ibid.*, pp. 116-17.
- <sup>56</sup> *Ibid.*, p. 118.
- <sup>57</sup> *Ibid.*, pp. 133-35.
- <sup>58</sup> *Ibid.*, pp. 137-38.
- <sup>59</sup> *Ibid.*, pp. 149-53.
- <sup>60</sup> *Ibid.*, p. 155; *State Rec.*, Vol. VIII, pp. 87, note, 116-17.
- <sup>61</sup> *State Rec.*, Vol. VII, pp. 118, 175, 314; Vol. VIII, pp. 93, 144; Vol. IX, pp. xiv, 98, 260, note, 464-65.
- <sup>62</sup> Greene, *Revolutionary Generation*, p. 288.
- <sup>63</sup> *State Rec.*, Vol. I, pp. 415-16; R. F. Weld, *Slavery in Connecticut* (New Haven: n. d.), pp. 13-14; Capen, *Poor Law of Connecticut*, pp. 37, 125-26.
- <sup>64</sup> *State Record*, Vol. VIII, p. xviii, note.
- <sup>65</sup> *Ibid.*, Vol. IX, pp. 38-39.
- <sup>66</sup> *Ibid.*, Vol. VI, pp. 472-73; Vol. VII, p. 379.
- <sup>67</sup> *Ibid.*, Vol. VIII, p. xix.
- <sup>68</sup> *Ibid.*, Vol. VII, pp. 165, 206-207, 282, 302; Capen, *Poor Law of Connecticut*, pp. 126-29.
- <sup>69</sup> *State Rec.*, Vol. VIII, p. 11.
- <sup>70</sup> *Ibid.*, Vol. IX, p. 87.

- <sup>71</sup> *Ibid.*, p. 183.
- <sup>72</sup> Purcell, *Connecticut in Transition*, pp. 9-10.
- <sup>73</sup> *Ibid.*, pp. 12-13; Paul Wakeman Coons, *The Achievement of Religious Liberty in Connecticut*, Tercentenary Commission of the State of Connecticut (New Haven, n. d.), pp. 21-22.
- <sup>74</sup> *Ibid.*, pp. 22-23; Purcell, *Connecticut in Transition*, pp. 84-85.
- <sup>75</sup> *Ibid.*, pp. 55-6.
- <sup>76</sup> Greene, *Development of Religious Liberty*, pp. 368-69.
- <sup>77</sup> *Ibid.*, pp. 92-93.
- <sup>78</sup> *Ibid.*, pp. 372-73; Purcell, *Connecticut in Transition*, pp. 92-93; Coons, *Religious Liberty in Connecticut*, p. 23; *State Rec.*, Vol. VII, p. 256, note.
- <sup>79</sup> Greene, *Development of Religious Liberty*, pp. 372-73.
- <sup>80</sup> *Ibid.*, p. 377; *State Rec.*, pp. 311-12, note.
- <sup>81</sup> *Ibid.*, Vol. VII, pp. 488-89, note; Vol. IX, p. 265, note; Charles R. Keller, *The Second Great Awakening in Connecticut* (New Haven, 1942), pp. 70-94; Greene, *Development of Religious Liberty*, pp. 386-87.
- <sup>82</sup> Purcell, *Connecticut in Transition*, pp. 175-76.
- <sup>82a</sup> S. N. Fisher, *The Litchfield Law School*, Tercentenary Commission of the State of Connecticut (New Haven, n.d.), pp. 1-5.
- <sup>82b</sup> *State Rec.*, Vol. VII, pp. 334-35, note, 392-94, note; Vol. VIII, pp. 403-404; Bernard Steiner, *The History of Education in Connecticut* (Washington: 1893), pp. 103-28; Greene, *Development of Religious Liberty*, pp. 368-80; Stiles, *Diary*, Vol. III, entries for January-June, 1792, esp., pp. 452-56.
- <sup>83</sup> Coons, *Religious Liberty in Connecticut*, pp. 22-23; Greene, *Development of Religious Liberty*, pp. 380-92; Charles L. Ames, "History of Education in Connecticut from 1818 to 1925," in Norris Galpin Osborn, ed., *History of Connecticut in Monographic Form*, Vol. V, pp. 184-87; Steiner, *Education in Connecticut*, pp. 103-28; *State Rec.*, Vol. VIII, pp. 237-38, note.
- <sup>84</sup> *Ibid.*, Vol. IX, p. 388. This record supersedes the note that "no society ever applied to have its funds diverted to ministerial support" in Vol. VIII, p. 238.
- <sup>85</sup> *Ibid.*, Vol. IX, p. 388.
- <sup>86</sup> *State Rec.*, Vol. IX, p. 179, note.
- <sup>86a</sup> Carl Bowker Bomhoff, "The Development of State Support of Teacher Education in Connecticut's School-Reform Movement, 1825-1850," unpublished doctoral thesis, New York University, 1952, p. 10.
- <sup>87</sup> Orwin Bradford Griffin, *Evolution of the Connecticut School System* (New York: 1928), pp. 7-8.
- <sup>87a</sup> Bomhoff, "Development of State Support of Teacher Education," pp. 11-13.
- <sup>88</sup> Steiner, *Education in Connecticut*, p. 35; *State Rec.*, Vol. VIII, pp. 138-39.
- <sup>89</sup> *Ibid.*, Vol. IX, pp. 178-81.
- <sup>90</sup> Bomhoff, "Development of State Support for Teacher Education," pp. 11-12.
- <sup>91</sup> Griffin, *Evolution of the Connecticut School System*, pp. 8-9.
- <sup>91a</sup> Bomhoff, "Development of State Support of Teacher Education," p. 11.
- <sup>92</sup> *State Rec.*, Vol. IX, p. 180, note.
- <sup>93</sup> *Ibid.*, and p. 348.
- <sup>94</sup> Harry R. Warfel, *Noah Webster; School Master to America* (New York: 1936), pp. 52-85.
- <sup>96</sup> Steiner, *Education in Connecticut*, pp. 47-50; Ames, "Education in Connecticut," Osborn, ed., *History of Connecticut*, Vol. V, pp. 192-94.
- <sup>97</sup> Jarvis Means Morse, *Connecticut Newspapers in the Eighteenth Century*, Tercentenary Commission of the State of Connecticut (New Haven, n. d.), pp. 1-19.



<sup>98</sup> *Ibid.*

<sup>99</sup> Vernon Louis Parrington, *The Connecticut Wits* (New York: c. 1926), pp. ix-xxvi.

<sup>100</sup> *Ibid.*, pp. xxv-xxvi, xliii-xlvi.

<sup>101</sup> *State Rec.*, Vol. IX, pp. xi, 46, 456-58.

<sup>102</sup> *Ibid.*, pp. x, 252-53.

<sup>103</sup> *Ibid.*, pp. 259-60, note.

<sup>104</sup> *Ibid.*, pp. x, 357-59, note, 465.

<sup>105</sup> Purcell, *Connecticut in Transition*, pp. 229-232.

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## Chapter XVI

### The Jeffersonian Challenge

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THE REPUBLICAN PARTY was strengthened in the state after the turn of the century. The campaign in the national election of 1800 began early, pamphlets were circulated, and open electioneering was engaged in for the first time. Although the Federalists were successful in electing the seven Congressional representatives, the Republicans were strong enough for two of their members, William Hart and Chauncey Goodrich, to secure eighth and ninth places. To launch their campaign in 1801, one thousand Republicans met in Wallingford to celebrate Jefferson's victory. The union of church and state was declared by the Republicans to be the crucial issue between the two parties.<sup>1</sup> The Federalists defined this problem as a question of choice between "religion and infidelity, morality and debauchery, legal government and total disorganization."<sup>2</sup> The Federalists returned Jonathan Trumbull, Jr., as Governor. Indeed, the 11,156 votes cast for him constituted the highest number the Federalists had ever received in an election. However, the Republicans won thirty-three, or about one-sixth, of the seats in the Assembly.<sup>3</sup> The Republicans could expect to increase their strength further through appointments which the national party would make in the state.

That the power of patronage could be used effectively in developing a political party was understood by Jefferson. However, Jefferson viewed Connecticut as the "fortress of the 'Monarchial Party,' " where patronage might not suffice to force its dethronement.<sup>4</sup> He was urged by Connecticut Republicans to use patronage to cement Republican loyalties and counter current charges that he had used Republicans to secure office but now would depend upon Federalists. Gideon Granger



argued further that it was only "just, fair and honorable that the friends of the Government should have at least as great a proportion of the honors and offices of the Government as they are of the whole people," and that the relative strength was such that there was little to lose from adverse reaction.<sup>5</sup> In addition to these practical considerations he pointed out "Lastly, the sacred rule that no man shall be persecuted for his opinions decently and reasonably maintained will not apply to any of our official Characters. I believe without a single exception All, and I know most have been bitter persecutors."<sup>6</sup> The particular test which was urged was the replacement of Chauncey Goodrich, the Collector at New Haven, who was described as "violent, irritable, priest-ridden, implacable, a ferocious federalist, and a most indecent enemy" to the Executive and his administration.<sup>7</sup> Goodrich had also advanced the interest of Aaron Burr before Congress;<sup>8</sup> removal was urged by a letter from twenty-four Connecticut Republicans.<sup>9</sup>

Whether or not Jefferson believed strongly that Adams should have refrained from appointing men to positions in which they would serve another President, the reasoning accorded with his political purposes and had been chosen by him as justification for replacements.<sup>10</sup> Chauncey Goodrich had been appointed to the Collector's position by Adams just before his retirement after the death in February 1801 of the previous collector. Goodrich was removed and Samuel Bishop was appointed to the collectorship.<sup>11</sup> A violent political controversy raged in the state.

New Haven Federalists immediately forwarded a protest to Jefferson criticizing the appointment of a man eighty years old, and so burdened with age and other offices, that he could execute his duties only through clerks and with the assistance of his son. The merchants, too, protested and the press, then, supported these protests. Jefferson entered the altercation, justifying his action as securing due participation of those selected by majority vote and hitherto completely excluded. Had he found a moderate participation in office of those of his majority party, Jefferson declared, he would have awaited time and accident to raise them to their just share. Their "total exclusion" called for "prompter corrections," and what, he asked, could be a more just way of securing a vacancy than by the displacement of "persons appointed



in the last moments of an administration, not for its own aid, but to begin a career . . . with their successors?"<sup>12</sup> Although Bishop's age and many public offices made his appointment open to criticism, the Federalist attack was somewhat blunted since he had been named to many of his positions by Federalists and his appointment had been well received initially by the Press.<sup>13</sup>



*(Courtesy of the Academy)*

NORWICH—NORWICH FREE ACADEMY

The Federalists believed that patronage revealed a vulnerable point for attack and did not relent as other appointments were made. Abraham Bishop succeeded his father as the collector in New Haven; Gideon Granger was made Postmaster General and appointed some of his Republican friends postmasters, including Bishop's brother-in-law, Jonathan Law of Hartford. Wolcott was named collector at Middletown, Ephraim Kirby was appointed Judge of the Louisiana territory, Joel Barlow received a French mission, and countless others benefited from lesser appointments and government contracts.<sup>14</sup> The Federalists were quick to compare the salaries of these national offices to those received by state officials and described Republican leaders as "a set of office holders and office seekers, under the National Govern-



ment . . . using every possible exertion to destroy this State.”<sup>15</sup> Patronage evolved as a sinew of party structure and laid a basis for the later success of the Republican Party.

Connecticut Republicans were carried along by the program of the national party during the first years of the century. The election of Jefferson and the purchase of the Louisiana territory provided reasons for state-wide “jubilees.” These aroused interest but were denounced by the Federalists as “a contemptible pandering to the multitude.”<sup>16</sup> The Republicans identified themselves in favor of the separation of church and state and the extension and purity of elections, and in opposition to the extravagance of local governments and the inequitable taxation. From 1801 to 1804 the percentage of votes cast for Republican nominees for Governor rose from nine to forty-four percent, and, in the latter year, they elected 78 members of the General Assembly. Despite this success, the Republicans had not found a state issue which aroused the electorate. Then, flushed with the success of the Spring campaign and riding the tide of Jefferson’s increasing acceptance, they called a convention in the Fall of 1804 for the drafting of a new constitution.<sup>17</sup>

Neither the demand for a new constitution nor the argument advanced to support or oppose it was new. There was a new generation of disputants, however, and the newspapers gave the question almost their exclusive attention. As the delegates of ninety-six towns met in New Haven, it was in the atmosphere of a party political convention. The Republicans had found an issue upon which they could hang their political hat and it seemed that with the clever Abraham Bishop to direct their strategy the Republicans might gain their greatest victory. However, on the eve of the 1804 Fall election, a Federalist pamphleteer raised an issue which has ever since been perennially effective in blocking similar legislation in the Connecticut General Assembly. *Count the Cost*, urged David Daggett, anonymously, in the title of his pamphlet, and questioned whether a change in government might be worth the cost and even suggested that it might endanger support of religion, schools, libraries and the like. The arguments were effective. The electorate endorsed the Federalists who used their power to revoke the commissions of the justices who had participated in the New

Haven meeting supporting a constitutional convention and questioning the existence of a state constitution.

The question continued to be agitated in elections of 1805 and 1806 with the Republicans no more than maintaining their strength and a diminution of interest on the part of the electorate indicated by a decreasing number of votes cast. In 1807, the Republicans made a small gain in the number of seats in the Assembly which they won. They had continued to poll about forty percent of the vote for Governor and to elect up to thirty-five percent of the members of the Assembly. Then in 1808, whereas in former years they had benefited from the national program of their party, they were hard pressed to defend the embargo in terms of state benefit.<sup>18</sup>

Jefferson's efforts to restore the freedom of the seas through negotiation seemed almost fruitless, and, in the Summer of 1807, the country moved precipitously close to war when England halted the U. S. warship *Chesapeake*. The non-importation act which had been passed in 1806 limiting the commodities which could be imported from the British Empire was to expire in December, 1807. The administration believed that a more aggressive position should be taken to protect American rights and yet avoid war. In his message of December 18, 1807, he called for an embargo on American shipping. Connecticut's delegation to Congress favored limiting the embargo to sixty days, but the majority party passed the bill without a time limitation.<sup>19</sup>

Shipping was seriously affected. In New Haven alone, 78 vessels were embargoed in 1808. State exports fell from \$1,625,000 in 1807 to \$414,000 in 1808. By 1810, recovery was so slight that exports amounted to only about one-half of the 1807 amount. The shipping out of the port of New London was apparently the most seriously curtailed. In 1810, the customs reported for New London were only eleven percent of what they had been in 1807, whereas for the river port at Middletown they compared at 75 percent and at New Haven at 35 percent.<sup>20</sup> There is no doubt that the entire economy of the state was affected.

The extent and the long-range significance of the damage is more difficult to measure. Apparently the farmers did not suffer immediately from the loss of markets.<sup>21</sup> While all shipping interests were sharply curtailed, theoretically more capital was available for the further ex-



pansion of manufacturing. The embargo offered extreme protection and the distress of shipping eased the labor market. The embargo coincided with an expansion in the raising of merino sheep in the state which gave a better basis for the woolen industry. By 1810, this industry was fairly well established. In that year, The Humphreysville Manufacturing Company was chartered with a capital of \$500,000, and immediately thereafter the Middletown Manufacturing Company was chartered with a capital of \$200,000.<sup>23</sup> Connecticut manufacturing continued to expand during the War of 1812. Although it would be inaccurate to conclude that the embargo was responsible for the success of manufacturing, it did produce conditions which were conducive to expansion. Historical perspective leads to the conjecture that perhaps the embargo was fortunate for the economic development of the state. It is doubtful, at least, that the embargo was as calamitous as the Federalists wished the populace to believe.<sup>24</sup>

The Federalists, however, could not see beyond the idle ships which lined their harbors. The initial mild disapproval of the embargo quickly developed into a chorus of antagonism. The *Hartford Courant* derisively spoke of the "dambargo" and charged that "the little finger of Thomas Jefferson was heavier than the loins of George the Third." "Shew us," it demanded, "in any civilized government . . . a stretch of tyranny equal to this."<sup>25</sup> As more restrictive measures were proposed for a stricter enforcement of the embargo, Benjamin Talmadge conjectured whether or not the Connecticut delegation should resign from Congress. Connecticut had endured the "waves of faction . . . the billows of democracy. . . . Unmoved by the numbers and sophisms of her enemies," she had followed the path of Washington. Now she had "a character to maintain."<sup>26</sup> Governor Trumbull called a special session of the General Assembly for February, 1809.

A set of legal or quasi-legal principles was prepared which on other occasions had been antecedent to revolution or secession.<sup>27</sup> Trumbull promptly called the embargo unconstitutional and pleaded for Heaven to avert the danger then before them. Ironically, in preparing its defense, Connecticut chose premises which Jefferson himself had expressed cogently, which were reminiscent of Roger Sherman, and which anticipated the defense of states' rights, the Yale-Litchfield

trained John Calhoun. It was asserted that it was the duty of the legislatures of the states "to watch over and vigorously to maintain, the powers not delegated to the states respectively, or to the people." The Assembly approved the action of the Governor in refusing to enforce the embargo, proposed constitutional alterations for the protection of commerce, and ordered that the resolution of the Assembly directing officials of the state to refrain from enforcing the embargo be published as general military orders.<sup>28</sup>

The Republicans identified the action as a move toward treason and civil war. The embargo was necessary to protect the country's position among nations, they argued, and charged that the Federalists were playing politics with national security. The arguments used by Ellsworth in 1788 were hurled back at the Federalists: the proper way to control a tyrannical government was through the independent judiciary and ultimately through the elective franchise.<sup>29</sup> The thread of the argument was cut, however, when on February 27, the embargo was repealed. Shortly afterwards, Jefferson completed his tenure with Federalism still firmly enthroned in Connecticut.<sup>30</sup>

In the next years the people of Connecticut expressed their preference clearly. Support for the Republicans decreased steadily thereafter. They attracted 36 percent of the vote for their gubernatorial candidate in 1809 and only 11 percent in 1812. Despite their decline, as gauged by the votes cast, through a "fortunate schism" the Republicans were able to break the influence of the ministry in politics for the first time in 1811. Until that time, the Republicans were composed primarily of Methodists and Baptists. Then they were joined by the Episcopalians, who had given up hope of gaining equality with the Congregationalists. Also, in 1811, when the Republican nominee declined to accept the nomination, the Republicans decided to name as their candidate for Governor, Robert Griswold, who was the Federalist candidate for Lieutenant-Governor. Griswold was a Federalist, but was not a man of religion, which made him popular with the anti-clerical element, to whom he was presented as hostile to the union of church and state. Elijah Boardman, the Republican nominee for Lieutenant-Governor was popular with the Episcopalians. Griswold was easily elected, with votes for Lieutenant Governor divided so that no one had a majority.



The Assembly chose John Cotton Smith who had only one-third as many votes as Boardman. This nominal success soon proved hollow as Griswold revealed his Federalist leanings through his opposition to "Mr. Madison's War" of 1812.<sup>31</sup>

Efforts to avert war had failed, and, as the country moved from the embargo to the non-intercourse act to war, the New England Federalists found themselves in an equivocal position. Their leaders had convinced themselves that there would be no war. Also, they had sought to convince their followers that the real design of Madison's administration was to annihilate New England commerce for the benefit of the plantation states; that the status of New England in the depleted state of commerce was worse than war itself; and, although a war could not be justified, it was preferable to the evils being experienced.<sup>32</sup> Yet, the "most furious party of Republicans" from the interior states who were "loud and urgent for war" were not supported by Connecticut Federalists.<sup>33</sup> The Federalists bemoaned the lack of preparedness, but did not lend their influence to a bill pushed through by William B. Giles calling for 25,000 men to be enlisted for five years.<sup>34</sup> Although they had opposed every attempt to secure redress without war and had proclaimed that the administration "could not be kicked into war," they voted against the resolution endorsing the proclamation of war.<sup>35</sup>

Connecticut came dangerously close to traitorous action in her refusal to support the war. In the name of preserving "the liberties of the country," she officially refused the services of the militia. Instead, she established a military corps for the defense of the state which was subject only to the orders of its commanders and not obliged "on any occasion to do military duty out of the state."<sup>36</sup> The state did not encourage enlistment in the national army and private individuals made recruitment difficult. The *American Mercury* reported that a mob of thirty or forty people "in the garb of gentlemen" had mobbed the recruiting officer in Litchfield where "sedition and treason" were without disguise.<sup>37</sup> Madison underlined the seriousness of Connecticut's actions when he observed "if the authority of the United States . . . can be thus frustrated even in a state of declared war, they are not one nation for the purpose most requiring it."<sup>38</sup> Although there was a measure of cooperation when Stephen Decatur was forced into the





*(Courtesy Conn. State Lib.)*

GLASTONBURY—MAIN STREET

Thames and New London was threatened, Connecticut never became a willing partner in the war. When Saybrook was invaded, in April, 1814, Smith lamented the success of the enemy but asked "Who then but the authors of this most atrocious war must be charged with these deplorable results?"<sup>39</sup> When it was implied that United States troops would be transferred from New London and be replaced by the state militia, compliance was not necessarily to be assumed from Governor Smith's reply that "when the militia of this state shall be required to



man the forts of the United States, in order that the regular troops there stationed may be employed in some other service, it will be time to make the proper reply.”<sup>40</sup>

In addition to a concern for state sovereignty, and a self-interest in a loss of trade, the unwillingness to assume any financial responsibility is a factor in explaining the state’s detachment from the war. When Fort Griswold was being put in a state of repair, the commander of a detachment of state militia reported to the Governor that he was lending some assistance, but “without any assumption of responsibility on my part to *pay* anything.”<sup>41</sup> Again, in 1814, when the United States changed its district commander, a member of the Connecticut militia reported that the new appointee was “a *Connecticut Man* in every respect & of course is desirous that we should avoid as far as possible, the burdens of this war,—more especially that we should not advance our *money* for the national *credit*.”<sup>42</sup>

From the time of the blockade of the United States Naval Squadron in New London in 1813 until the end of the war, the Connecticut coast was in a continual state of alarm. The harbor of Pettipauge at Saybrook was entered on April, 1814, and a number of merchant vessels were destroyed. On August 9, Stonington was bombarded.<sup>42a</sup> A letter from Matthew Griswold to the Governor serves as a summation of the petitions which poured in from the coast towns asking for aid. Griswold wrote: “Defence is what they desire and what they ask for, and what they are destitute of.”<sup>43</sup> Smith declared it was “impossible for the state to protect our maritime commerce by militia.” And since the enemy had not indicated an intent to invade the land west of Saybrook, troops would not be stationed west of that place. He urged citizens “to draw their shipping of every kind as far from hostile approach as possible, and leave those who will adventure their property on the sound to incur the risque & hazard of their own presumption.”<sup>44</sup>

The risk, it would seem was at most nominal, because during most of the war, New England trade continued uninterrupted. The British blockade exempted New England trade for the most part, and the order prohibiting American goods in the West Indies exempted New England products. It was common knowledge that the British forces in Canada were receiving supplies from New England contractors.<sup>45</sup> When, in De-



cember 1813, a more stringent embargo was passed on the recommendation of Madison, the citizens of the Bridgeport area voiced their opposition to the war and called for a special session of the General Assembly to consider the unfortunate conditions in the state and nation and, in unison with other willing states, "to devise and carry into execu-



*(Courtesy Fairfield Historical Society)*

FAIRFIELD—POWDER HOUSE, USED TO STORE MUNITIONS, WAR OF 1812

tion such constitutional measures as may afford relief. . . ."<sup>46</sup> The Massachusetts General Court, which was in session at this time, was also flooded with petitions from all parts of the state, but especially from its towns located on the Connecticut River, the majority of which called for a convention. The intercession of moderate Federalists delayed action in that state, and, when the Connecticut General Assembly convened for its May session, the embargo had already been repealed.<sup>47</sup>

Events of the summer, however, further strained the relations between the state and the national government. Banking was prospering and real estate values were rising in Connecticut and she and other New England States possessed practically all of the specie in the coun-



try. Connecticut, however, refused to subscribe to the new war loans issued by the national government. At the same time, it has been suggested, New England "probably lent to the British government during the war more money than she lent to her own."<sup>48</sup>

The conclusion of the Napoleonic wars permitted England to intensify her efforts against the United States, attacks on the New England coasts increased, and the national capital was burned in August. Specie payments were discontinued at all banks outside New England and the fortunes of the union seemed at low ebb. It was at this point that Governor Smith withdrew the militia brigade which had been in national service and instructed it to obey no order except from state authorities.<sup>49</sup>

Meanwhile the move for a convention was rapidly taking form in Massachusetts. In October, the Governor of that state invited neighboring states to a New England Convention.<sup>50</sup> Connecticut was the first to respond. Proposals before Congress to introduce a forced draft and to authorize the enlistment of seventeen-year-olds was described as an "arbitrary attempt to destroy the moral character and welfare of . . . children . . . and place them . . . in the midst of the contaminating atmosphere of a regular army."<sup>51</sup> The report of the committee to which the Massachusetts resolution had been referred, was milder in tone than that of the Bay state, but considered the proposal "an eligible method of combining the wisdom of New England," and recommended a resolution which carried that delegates be named to meet in Hartford to consider any objects which were consistent with the obligations of the state as a member of the union.<sup>52</sup>

Chauncey Goodrich, the Lieutenant Governor, headed the delegation from Connecticut, which also included James Hillhouse, Zephaniah Swift, John Treadwell, Nathaniel Smith, Calvin Goddard, and Roger M. Sherman. Each had long years of service in public life and collectively they had held practically every office in the state, with four having served as United States Congressmen.<sup>53</sup> These met with the other "Wise Men of the East" at the Old State House in Hartford on December 15. The delegates continued in session until the Report of the Hartford Convention was adopted on January 5, 1815.<sup>54</sup>

The meetings of the convention were veiled in secrecy. In addition

to the final report, a journal of proceedings was published in 1819 in a vain effort to still the critics of the convention. The rule of secrecy limited the knowledge to be gained from the correspondence of the time and the emotionalism of the subsequent debate limits its value. The convention was concerned with three major issues: the defense of New England, the grievances of New England and suggested means of relief, and proposed amendments to the constitution necessary to perpetuate the union.

The convention advanced the principle of interposition of state authority to redress grievances suffered under the national government. It was argued that the effort to place the militias under the control of the national government and the suggested plans for conscription and enlistment would enable the government to destroy the liberties of the people and "erect a military despotism out of the ruins." The presumed infractions of the constitution were regarded as so "deliberate, dangerous, and palpable" as to endanger the sovereignty of the state and the liberty of the people. Therefore, it became the "duty of each State to interpose its authority for their protection" and to "adopt all such measures as may be necessary effectually to protect the citizens of the state."<sup>55</sup> In approving this principle, Connecticut renounced the principle of majority rule by which a minority would be coerced by law and the states protected from an usurpation of their rights by an independent judiciary, although this coercive principle, when presented by Ellsworth at the constitutional convention, had persuaded them to join the union.<sup>56</sup> Instead, they accepted the principle of interposition which has been the recourse of sections throughout our national history at times when the central government has attempted to impose practices or values from which the section dissented. The Connecticut position was that of nullification, it was not secession. The moderate Federalists had carefully defined the limits beyond which they would not go. Their position, as expressed by Harrison Gray Otis of Massachusetts, was that "a severance of the Union by one or more States, against the will of the rest, . . . can be justified only by absolute necessity" and that dissolution, in any case, should "if possible, be the work of peaceable times and deliberate consent."<sup>57</sup> Connecticut's expression of dissent was limited to her lack of cooperation during the war.



The war's end avoided a test of the length to which she would have carried her principle.

There was ironic retribution in the defenseless state of Connecticut in the Fall and Winter of 1814-15, since the state had consistently refused to cooperate with the central government in its war effort. To provide for necessary defense and to remove the difficulties which existed between the state and the central government, the delegates at the Hartford Convention had endorsed an arrangement whereby a state would be permitted to provide for its own defense and be reimbursed by the national government from the national taxes collected.<sup>58</sup>

The seven amendments proposed in the *Report* of the Hartford Convention and designed to protect the sectional minority revealed the disparate status and the narrow provincialism of the Federalists. The amendments included proposals to limit any embargoes to sixty days, and to require a concurrence of two-thirds of both houses for the passage of a non-intercourse act. These and a provision that two successive Presidents could not be from the same state arose out of the immediate situation and were only of momentary interest. Proposals to require a two-thirds vote of both houses for the admission of new states and for the declaration of war would have severely restricted the growth of the nation and the strength of the national government. The suggestion that aliens not be permitted to hold either elective or appointive national offices would have robbed the country of much of the human resources which have proved of value. Two of the proposals, however, dealt with issues which continued to receive the attention of the country. Discontinuance of counting three-fifths of the negroes as a basis for determining representation which was suggested at the Hartford Convention continued an issue in American politics until, in theory, it was eliminated by the fourteenth amendment. The limitation of the term of the President, which the delegates at Hartford believed should be to one term, was still a matter for consideration in contemporary America.<sup>59</sup>

The most immediate issue among the subjects of the deliberations was that of local defense. This was at least partially resolved before the recommendations were presented. Not only was the war concluded by the signing of the Treaty of Ghent while the delegates were meeting in Hartford, but also on January 27, 1815, the President signed an Act of

Congress authorizing him to accept and pay troops raised by a state and limiting the use of such troops to their own state and those adjoining it except by specific consent of the Executive of their state.<sup>60</sup>

Nevertheless, on February 4, Governor Smith appointed Calvin Goddard and General Nathaniel Terry Commissioners to present for Connecticut the proposals of the Hartford Convention. Goddard and Terry arrived in Washington shortly thereafter, but in view of the new climate of opinion did not submit the proposals. Already, the populace was celebrating victory and was caught up in a spirit of nationalism which was to continue until the Federal Union was securely established a half century later.<sup>61</sup>

With the restoration of peace, the move to the west was resumed. The state was seized with "Ohio fever." Advertisements of the west flooded the state and the wisdom of moving to the western territory became subject of common conversation. The Indians were no longer a threat to prospective settlers; and the high price of agricultural products, the possibilities of internal trade, and the easy acquisition of land were positive reasons for Connecticut residents to transplant their homesteads. Land was not only available in larger quantities, but better lands could be had at lower prices than in Connecticut. Moreover, it could be purchased on credit, usually extended over a period of seven years.<sup>62</sup> In addition to the general appeal, Purcell considers that the west had one especially for Republicans who could hope to preserve their political principles in a "promised land where there were no Tories, few lawyers or doctors, no tithe gatherers, and where ministers were only ciphers."<sup>63</sup>

Although the numbers who moved into the Ohio Territory cannot be measured exactly, there is no doubt that the migration drained the state's population for a number of years.<sup>64</sup> Although a few towns in areas where manufacturing had begun showed population increases in the period from 1810 to 1820, in most towns population either decreased or remained stationary. The overall population of the state showed a slight increase, but that of the United States as a whole was increasing seven times faster.<sup>65</sup> Immigrants, who could hold Connecticut land only with special permission of the legislature, followed the example of Connecticut's own residents and moved into Ohio.<sup>66</sup>



By 1815, the tendency to move west had become so great that attempts were made to encourage would-be immigrants to remain in Connecticut. Newspapers cast suspicion upon the enthusiastic reports of speculators, gave much attention to stories of storms and floods in the western areas, and emphasized the barrenness of a land without churches, schools and roads. The question "Is the West an Eden" and the advice "to tarry at Jericho" did not stem the rush to Ohio, which continued throughout the decade.<sup>67</sup> Improvement of agriculture and encouragement of manufacturing were necessary to remove the economic motivation for leaving and could not be accomplished at once. Also, a more tolerable political and religious situation had to be achieved.

Within the state, the Republicans, whose fortunes had continually declined during the war (when the Federalist Governor John Cotton Smith stood as the protector of the state's sovereignty), had been quick to attack the Hartford Convention when it was called in 1814. When the delegates pulled the veil of secrecy over their deliberations they opened themselves to charges of evil deeds. The Republicans displayed the American flag at half mast during the proceedings and a band marched through the streets playing funeral marches. In view of the Treaty of Ghent and the Battle of New Orleans, the commission appointed to carry the protest to Washington looked ridiculous and decided not to communicate the protest. Although Smith was reelected in 1815, Federalism as a political ideology was a lost cause; it remained for it only to prepare a defense for the record for it lacked a program for the future.<sup>68</sup>

The new nationalism was evidenced in the political alignment which developed within the state under the name of the American party. At a Republican-Episcopalian meeting in New Haven, on February 21, 1816, an attempt was made to conciliate various factions and reconcile denominational intolerance. In itself, the choice of Oliver Wolcott, a life-long Federalist who had broken with his party because of its opposition to the war, as their candidate for Governor was a symbol of broadening principles. The choice of Jonathan Ingersoll, as candidate for Lieutenant-Governor, cemented the bond with the Episcopalians. This American Toleration and Reform Ticket came out boldly

in 1816 for a new constitution, ecclesiastical reform, changed suffrage requirements, and changes in the method of electing councilors and congressmen, and in the method of taxation. The Federalists merely continued to condemn the extravagance of the Federal Government and to admonish the voters to uphold the holy institutions of their fathers.<sup>69</sup> The electorate responded in favor of Smith one more time, but Ingersoll defeated Calvin Goddard in the race for Lieutenant-Governor and 85 Tolerationists were returned to the legislature, the highest number yet elected by an opposition party. An analysis of the vote revealed that the shipping centers and the large cities supported the new party. The county votes revealed that there was definitely a shift toward the Tolerationists.<sup>70</sup>

The Federalists made a last effort to placate the opposition by the passage of the Bonus Act in the October session of the Assembly. The Tolerationists had given them further cause for concern, when, in the Fall election they had endorsed the last of the candidates on the Federalist list for United States Congress, and were successful in electing five new Congressmen who were at most only nominally Federalists. The Federalists could no longer stand alone, and, in an attempt to win back some of the defected elements, the Bonus Act was passed. There was \$14,500 due from the national government for disbursements made by the state during the war. The Bonus Act provided that one-third of this would be distributed to the Congregationalist, one-seventh to the Episcopalians, one-eighth to the Baptists, one-twelfth to the Methodists, one-seventh to Yale, and about one-sixth to the Treasury. Only Yale was satisfied. None of the religious groups believed the share granted it revealed the true proportion of its influence in the state. Far from mollifying the groups, the distribution was attacked as a political bribe indicating the corruption of the party in power.<sup>71</sup>

The crisis in Connecticut politics was reached in 1817. The Tolerationists named Wolcott and Ingersoll again while the Federalists hoped to hold some of the Episcopalian vote by naming Ingersoll to run as Lieutenant-Governor with Smith. The Tolerationists accused the Federalists of "reposing in confident security—not dreaming of change." The old arguments for preparing a constitution were restated, the public was reminded of the Hartford Convention, the judiciary system was





(Courtesy Conn. State Lib.)

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attacked as inequitable, and the Bonus Act severely criticized as “an expiring struggle to retain power, and to appease opposition.”<sup>73</sup> The method of choosing Assistants was described as “an ingenious and complicated piece of mechanism designed, by the multiplicity of its wheels and springs, of its clogs and checks, to divert from the instrument of government, a direct application of the popular power.”<sup>74</sup> It was contended, too, that the “adulterous intercourse between religion and politics” had resulted in “polluting the chastity of the former by the



debauchery of the latter."<sup>75</sup> A vigorous attack upon a taxing system which failed to tax new sources of wealth and saddled the farmer with three times his rightful share attracted the farmer to the Republican cause. Connecticut cast her largest vote to elect Wolcott by a majority of 600 which constituted a plurality of slightly more than two percent of the total vote. The ardent Federalists regarded John Cotton Smith as "the last of the Puritan Governors," and his defeat as "the end of Connecticut's golden age." The Tolerationists were vibrant with victory and the national press echoed their confidence. The Boston *Patriot* caught the true significance of Wolcott's victory as achieving the "destruction of the sheet anchor of Federalism's last hope."<sup>76</sup>

## NOTES—CHAPTER XVI

- <sup>1</sup> Purcell, *Connecticut in Transition*, pp. 232-37.
- <sup>2</sup> *Ibid.*, p. 238.
- <sup>3</sup> *Ibid.*, p. 239.
- <sup>4</sup> Carl Russell Fish, *The Civil Service and Patronage* (New York: 1905); p. 33.
- <sup>5</sup> *Ibid.*, pp. 33-34.
- <sup>6</sup> *Ibid.*, p. 34.
- <sup>7</sup> *Ibid.*, pp. 32-33.
- <sup>8</sup> Purcell, *Connecticut in Transition*, p. 240.
- <sup>9</sup> Fish, *Civil Service and Patronage*, p. 33, note.
- <sup>10</sup> *Ibid.*, p. 32.
- <sup>11</sup> *Ibid.*, pp. 32-34.
- <sup>12</sup> *Ibid.*, pp. 35-36; Purcell, *Connecticut in Transition*, p. 240.
- <sup>13</sup> Fish, *Civil Service and Patronage*, p. 37.
- <sup>14</sup> Purcell, *Connecticut in Transition*, pp. 240-41.
- <sup>15</sup> *Ibid.*, pp. 241-42.
- <sup>16</sup> *Ibid.*, p. 236.
- <sup>17</sup> *Ibid.*, pp. 253-63.
- <sup>18</sup> *Ibid.*, pp. 263-77.
- <sup>19</sup> Louis Martin Sears, *Jefferson and the Embargo* (Durham, N. C.: 1927), pp. 51-60; Hall, *Talmadge*, pp. 196-98.
- <sup>20</sup> Purcell, *Connecticut in Transition*, p. 116.
- <sup>21</sup> *Ibid.*; Sears, *Jefferson and the Embargo*, p. 151.
- <sup>22</sup> *Ibid.*, pp. 124, 128, 144, 145; Purcell, *Connecticut in Transition*, p. 151; Clark, *History of Manufacturing*, Vol. I, p. 273.
- <sup>23</sup> *Statute Laws of the State of Connecticut*, Book II (Hartford, 1808), pp. 28-31, 41-43.
- <sup>24</sup> Purcell, *Connecticut in Transition*, pp. 122-25.
- <sup>25</sup> Sears, *Jefferson and the Embargo*, p. 175.
- <sup>26</sup> Purcell, *Connecticut in Transition*, p. 279; Hall, *Talmadge*, p. 200.
- <sup>27</sup> Sears, *Jefferson and the Embargo*, p. 185.
- <sup>28</sup> *Ibid.*, pp. 185-87.
- <sup>29</sup> Purcell, *Connecticut in Transition*, pp. 281-83.



- <sup>30</sup> Sears, *Jefferson and the Embargo*, p. 141.
- <sup>31</sup> Purcell, *Connecticut in Transition*, pp. 285-88.
- <sup>32</sup> Samuel Eliot Morison, *Life and Letters of Harrison Gray Otis, Federalist, 1765-1848*, Vol. II (Boston, 1913), pp. 17-31; Frank Updyke, *The Diplomacy of the War of 1812* (Baltimore, 1915), pp. 108-31.
- <sup>33</sup> Hall, *Talmadge*, p. 207.
- <sup>34</sup> *Ibid.*
- <sup>35</sup> *Ibid.*, pp. 216-17; Updyke, *Diplomacy of War of 1812*, p. 131.
- <sup>36</sup> *Statutes*, Book II, pp. 93-94.
- <sup>37</sup> Purcell, *Connecticut in Transition*, p. 289; Hall, *Talmadge*, pp. 218-19.
- <sup>38</sup> Edward Payson Powell, *Nullification and Secession in the United States: A History of Six Attempts During the First Century of the Republic* (New York: 1897), p. 212.
- <sup>39</sup> "John Cotton Smith Papers," Vol. III, in *Collections*, Conn. Hist. Soc., Vol. XXVII (Hartford, 1952), p. 3.
- <sup>40</sup> *Ibid.*, pp. 134-35.
- <sup>41</sup> *Ibid.*, Vol. I, in *Collections*, Conn. Hist. Soc., Vol. XXV (Hartford, 1948), pp. 204-205.
- <sup>42</sup> *Ibid.*, Vol. III, pp. 62-63.
- <sup>42a</sup> *Ibid.*, Vol. II, in *Collections*, Conn. Hist. Soc., Vol. XXVI (Hartford, 1949), pp. 150-52, 225-35; Vol. III, p. 195.
- <sup>43</sup> *Ibid.*, Vol. I, p. 181.
- <sup>44</sup> *Ibid.*, Vol. II, p. 51.
- <sup>45</sup> William Edward Buckley, *The Hartford Convention*, Tercentenary Commission of the State of Connecticut (New Haven, n. d.), pp. 5-6.
- <sup>46</sup> *Ibid.*; "Smith Papers," Vol. II, pp. 169-70; 208-11.
- <sup>47</sup> Morison, *Harrison Gray Otis*, Vol. II, pp. 85-90.
- <sup>48</sup> Hall, *Talmadge*, pp. 226-27.
- <sup>49</sup> "Smith Papers," Vol. IV, in *Collections*, Conn. Hist. Soc., Vol. XXVIII (Hartford, 1954), p. 44; Buckley, *Hartford Convention*, p. 7.
- <sup>50</sup> Morison, *Harrison Gray Otis*, Vol. II, pp. 99-105.
- <sup>51</sup> *Ibid.*, pp. 105-106.
- <sup>52</sup> Buckley, *Hartford Convention*, p. 9.
- <sup>53</sup> Morison, *Harrison Gray Otis*, Vol. II, pp. 134-35, notes.
- <sup>54</sup> *Ibid.*, p. 146.
- <sup>55</sup> *Ibid.*, p. 151.
- <sup>56</sup> See *State Rec.*, Vol. VI, pp. 563-64.
- <sup>57</sup> Morison, *Harrison Gray Otis*, Vol. II, pp. 149-50.
- <sup>58</sup> *Ibid.*, p. 161.
- <sup>59</sup> *Ibid.*, pp. 152-56.
- <sup>60</sup> *Ibid.*, pp. 161-62.
- <sup>61</sup> *Ibid.*, pp. 167-71; Purcell, *Connecticut in Transition*, p. 295.
- <sup>62</sup> Purcell, *Connecticut in Transition*, pp. 146-49.
- <sup>63</sup> *Ibid.*, p. 149.
- <sup>64</sup> Louis Kimball Mathews Rosenberry, *Migrations from Connecticut after 1800*, Tercentenary Commission of the State of Connecticut (New Haven, n. d.), p. 3.
- <sup>65</sup> Purcell, *Connecticut in Transition*, pp. 151-52.
- <sup>66</sup> *Ibid.*, p. 156.
- <sup>67</sup> *Ibid.*, pp. 154-55.
- <sup>68</sup> *Ibid.*, pp. 291-98, 332; Buckley, *Hartford Convention*, pp. 14-15; Morison, *Harrison Gray Otis*, Vol. II, pp. 165-67.
- <sup>69</sup> Purcell, *Connecticut in Transition*, pp. 332-38.
- <sup>70</sup> *Ibid.*, pp. 39-40.

<sup>71</sup> *Ibid.*, pp. 343-46; George Hallam Richards, "The Politics of Connecticut, or, A Statement of Facts, Addressed to Honest Men of All Parties, Religious and Political, in the State: Particularly to the Mass of Community, A Bold and Hardy Yeomanry, who compose the Flesh and Muscle, the Blood and Bone of the Body Politic" (Hartford, 1817), p. 25.

<sup>73</sup> Richards, "Politics of Connecticut," p. 25.

<sup>74</sup> *Ibid.*, p. 10.

<sup>75</sup> *Ibid.*, p. 15.

<sup>76</sup> Purcell, *Connecticut in Transition*, pp. 346-51.



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## Chapter XVII

### An Era of Political Transition, 1817-27

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**O**LIVER WOLCOTT was an ideal choice to bridge the gap between a political community which was essentially colonial in its practice and one which was basically modern in its theory. As the son and grandson of a Governor, Wolcott had moved naturally to a position of influence within the Federalist party. He refused a Continental commission in order to serve as a minuteman. He emerged from the Revolution as a friend of Washington and of Alexander Hamilton. Hamilton appointed him Comptroller of the Currency and later he became Secretary of Treasury. Here he was bitterly, although perhaps unfairly criticized, for alleged misappropriation of funds. After serving as Judge of the United States Circuit Court of Connecticut, Vermont, and New York, to which he had been named by John Adams, he retired to private business in 1803. He served as President of the Bank of America, incorporated woolen mills at Wolcottville with his brother, and devoted attention to agriculture. His broad experience made him appealing to the major economic groups. He was reared as a Congregationalist, but his experiences had promoted a tolerance that made his orthodoxy at least dubious. He was a friend of Yale. He had broken with the Federalists because of their opposition to the War of 1812. After this, he aligned himself politically with those who were calling for change, yet he was moderately conservative. In a very real sense, Wolcott symbolized both the old and new Connecticut and provided a compromise between the two.<sup>1</sup>

Wolcott's inaugural address appealed to both parties. The burning issues of the campaign, such as the rights of conscience and the freedom of suffrage, were discussed as questions of principle, and emphasis was

given to the status of the economy of the state. Wolcott suggested that "by far the most important subject" to be considered by the legislature was the emigration of Connecticut residents to western lands: It was the business of the state to create conditions which would interest people in remaining in Connecticut. To this end, he recommended a freer circulation of capital, the extension of credit, and a more equitable taxing system. Any fundamental alterations in the last, however, should await a thorough study which could serve as the basis for systematic revision. He held out hope for both the laborer and the factory owner, for the poor and the affluent. He pleaded for an independent judiciary, but assuaged Federalist fears by recommending that Supreme Court Judges be named for life and good behavior. "It is the right of every man," he proclaimed, "to worship . . . in the manner most agreeable to the dictates of his own conscience." Even on this fundamental tenet of the Reform party, however, Wolcott did not call for immediate action, but for an investigation of grievances. Again, he indicated that the method of election should be studied to see if the rights of franchise were being maintained before the legislature attempted any reforms. The suggestions were prudent. The Upper House, or Council, was still controlled by the Federalists and the legislative program would be limited to whatever could be gained in cooperation with the opposition.<sup>2</sup>

Even the judicious conciliation did not achieve bold accomplishments. The provision for extending to the Litchfield branch of the Phoenix Bank of Hartford the privilege of issuing notes in the name of its President was an effort to perfect the financial institutions of the state. This was the intent, too, of the provision for increasing the number of directors of the Hartford Bank. The law requiring an annual accounting of the fiscal affairs of the state by the Comptroller was but a revision of an earlier law. A slight nudge toward the separation of the Church and State was contained in the alteration of the law requiring members of a congregation who wished to join another to file a certificate with the town clerk rather than with the clerk of the society as provided previously.<sup>3</sup> A provision permitting one to certificate from one society to another of the same denomination was defeated for fear it would demoralize the societies. Each of the societies was permitted



to lay and collect taxes for the support of its denomination. The state continued to perform this service for the Congregationalists.<sup>4</sup>

Despite Wolcott's measured appeal, partisan considerations were not without weight during the session. Customarily, legislative proposals were submitted to joint committees of both houses, but the



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Republicans exercised their newly won strength and referred all bills to the appropriate House committee. To the bitterness caused by this legislative breach was added the antagonism engendered by the Council's veto of a repeal of an infamous "stand up law" which had circumvented the secrecy of the ballot as applied to the nominations of candidates for the Council. For these, oral nominations and an open standing vote came to be required about the turn of the century. The real political struggle came over the appointments of Justices. The Federalists sought to entrench themselves by naming as many Federalists as possible, even in Republican towns. Neither house would accept the



list prepared by the other and there the matter stood until it was finally compromised by adding a hundred Republicans to the already excessive number of justices. Understandably, in view of the Federalists' position on the Justices, all Republicans were not willing to entrench Federalist Judges in power, so Wolcott's proposal for the reform of the judiciary was postponed.<sup>5</sup>

The Tolerationists directed their attack toward the vicious closed control of the Council which seemed the last barrier to reform. They argued that to return the same members to office would mean a deadlock on important legislation, make a constitutional convention impossible, and postpone reform. At the same time they countered charges of radicalism by naming five Federalists to their list of nominees from which the members of the Council would be chosen later. The Federalists could not attack the record of the May session which they had helped forge. They could criticize only those proposals which had been postponed or which suggested areas to be studied. It was implied that the proposed constitutional convention might result in circumstances similar to those which had prevailed in France: "A new constitution," it was said, would "put all things afloat on the ocean of visionary experiment."<sup>6</sup> All charges were in vain. The Tolerationists elected their complete ticket and the Federalists could not delay the long-sought for reforms beyond the time new members of the Council took office.

Wolcott's address to the General Assembly was devoid of the acrimony of the campaign. He extolled the virtues of the old system of government and cautioned that it should not be too radically changed. "It is natural and just that institutions which have produced so much honor and advantage should be objects of veneration and attachment," Wolcott admitted. He pointed out further that "if, as may be admitted, some changes are expedient . . . still, we are bound to recollect, that whatever is of common concern, ought to be adjusted by mutual consultations, and friendly advice; that party spirit and sinister interests ought to be wholly excluded from influence; that it is the duty of reformers to repair and improve, not to subvert and destroy. . . ."<sup>7</sup>

The General Assembly in the October session of 1817 was marking time until the following Spring when the Tolerationists would have complete control of the government. Neither house had any respect for



the other. The lower house again referred all legislation to its own committees and the Council countered by forcing Federalist justices upon Republican towns. Most of the legislation was routine, but the repeal of the "stand-up" election law marked the waning of Federalist strength and the report of the committee on taxation laid the basis for later reforms. This committee had discovered an inequitable tax system which was unfair for farmers, unjust to professional men, a deterrent to industry and an invitation to migration. It was recommended that there be a complete revision of the tax system, to include a reduction in the poll tax and the assessment of property on the basis of its valuation.<sup>8</sup> Although questions of taxation, militia, and suffrage had been considered, little was accomplished. As the session drew to a close, the Tolerationists drew attention to the need for a constitutional convention in preparation for the campaign to follow.<sup>9</sup>

The need for a new constitution had been underscored during the October session when the legislature had exercised its privilege of judicial review. This privilege dated from colonial times and the legality of this judicial authority was unquestioned. In the post-revolutionary period, the view that "when proper courts of law were constituted, the legislature are [sic] divested of all judicial authority"<sup>9a</sup> was gaining some acceptance. Yet, in the absence of law prohibiting it to do so, the Assembly might exercise its prerogative at any time. In the October session the Assembly had annulled the judgment and set aside the sentence pronounced against Peter Lung, a murderer convicted by the Superior Court of Middletown. In an appeal to the public defending himself, the judge argued that the government of Connecticut consisted of three branches, coordinate and independent of each other: It ought to be a fundamental axiom "that the Legislature should never encroach on the jurisdiction of the Judiciary."<sup>10</sup> The Peter Lung case gave new force to the arguments for constitutional reform, and influenced some Federalists to vote for the reform ticket.<sup>10a</sup>

Election day, May, 1818, was a day of rejoicing for the reformers. Whether because of their satisfaction with Wolcott or because they recognized the fruitlessness of their efforts, the Federalists did not name another candidate for Governor. The barometer of public opinion concerning the constitution was indicated when the voters placed one hun-

dred and thirty-two Tolerationists in the assembly to sixty-nine Federalists. In his inaugural address Wolcott sought to establish a middle ground upon which the reformers and the remnants of the standing order could meet. He recognized the charter as the basis of Connecticut liberties for by it the King's claims to the territory were surrendered to the people, but recognized, too, that as an instrument defining the powers and duties of public officials it was deficient. Since some of the citizens now desired "that the Legislative, Executive, and Judicial authorities of their own government may be more precisely defined and limited and the rights of the people declared and acknowledged," Wolcott felt that it was the responsibility of the legislature "to dispose of this important subject in such manner as will best promote general satisfaction and tranquillity."<sup>11</sup>

The committee appointed to consider the constitutional question reported "a general manifestation of a desire for a revision and reformation of the structure of our civil government and the establishment of a Constitutional Compact." The happiness which had been enjoyed by the Connecticut people, it was suggested, was due to "other causes, rather than to any peculiar intrinsic excellence in the form and character of government itself." It was concluded that the "frail foundation of legislative will or discretion" should not be the basis for separation of the powers of government, tenure of office, elective franchise, liberty of speech and press, freedom of conscience, and trial by jury. The time for action had arrived.<sup>12</sup>

The debate which followed the proposed resolution calling for towns to elect delegates to a constitutional convention centered around the number of delegates to be chosen from each town, the date of the election, and the method of ratification of the constitution. There was a variance of opinion as to whether the constitution should be ratified by the towns, by the voters of the state, or by a vote of the lower house of the Assembly. It was finally decided that the method of ratification would be determined by the convention itself. A move to name only one delegate from each town was rejected and the apportionment of representation was the same as for members of the House. Although some protested, the election of delegates was scheduled for the Fourth of July. It was a "merry day," but it was argued "if the people began



early in the morning, they would be able to get through before they were disqualified.”<sup>13</sup>

The delegates who were elected represented all elements of Connecticut society, a balanced and respected group including many who were equipped by training and long years of experience to erect a new structure of government. Seven had been members of the convention which had ratified the constitution in 1788, three had been representatives in Congress and five others were later to be elected to that office. Two of the number became Governors of the state and three became Senators of the United States.<sup>14</sup> Plain farmers were seated with the wealthy, physicians with lawyers, Princeton graduates with Yale graduates. It was a delegation called in the spirit of reform, but one which maintained its ties with the past. If the convention had been called in the midst of partisan wrangling, it proceeded with the intent of erecting a structure of government which was in harmony with the needs of the state.<sup>15</sup> The convention was organized on August 26th, and by August 28 heard the first report of the committee named to draft the constitution.<sup>16</sup>

The report of this committee was submitted in four parts. The first, submitted on August 28, contained the recommendation for a Preamble and Bill of Rights. A general statement on the distribution of powers and the provisions pertinent to the legislative and executive branches were contained in a second section submitted on September 1. The proposals for the judiciary and for the qualifications of electors were submitted on the third and the final report containing the recommendations on religion, education, impeachments, general provisions and the method of amending the constitution the next day.<sup>17</sup> Each article was taken up by sections. Then, after discussion and amendment of the several sections, each article was again considered as a whole before a vote was taken on its adoption. After an article gained initial approval and was printed it was again open for consideration before being finally approved by the convention.<sup>18</sup>

Ties with the past were revealed in the preamble which acknowledged “the good providence of God in having permitted them to enjoy a free government.” The proposed constitution was intended “more effectually to define, secure, and perpetuate the liberties, rights and

privileges which they have derived from their ancestors.”<sup>19</sup> It was evident that the new constitution was not to be a vehicle for a political party, but “that the great and essential principles of liberty and free government” would be recognized and that all which was vital in the charter would be retained.<sup>20</sup>

Not everyone considered it necessary to guarantee individual rights through a Bill of Rights. Connecticut had never formally ratified the Federal Bill of Rights. In 1818, a Federalist bloc led by John Treadwell continued to maintain that such protection was unnecessary. These conservatives could not admit a necessity for protection against tyranny, aristocracy, or usurpation and this was the precise design of the Bill of Rights. The repetition in the statement of rights, which occurred principally in regard to police power and court procedure, seem to imply former transgressions. Although it was not included in the final document, the provision of the draft that “no citizen of this State . . . shall be prevented for emigrating” can be interpreted only as indicating that some believed that inhabitants had been coerced to remain in the state and that the safeguard was necessary. The conservatives seemed to view the constitution as a contract between the body of citizens and the state while the forces of reform insisted that it should also be a contract with the individuals. That individual rights were a central issue is indicated by a tabled motion that all rights not delegated by convention should be reserved by people. The approval of the Bill of Rights clearly indicates the determination of the majority that the rights of individuals should have specific legal protection.<sup>21</sup>

The dominance of small towns in the Lower House of the General Assembly was established firmly by the decisions of the Convention of 1818. An attempt to limit towns with populations of less than 4,000 to one representative was defeated. Subsequent efforts to establish this limitation for towns of less than 2,500 and even for towns of less than 2,000 people also failed. If towns of less than 4,000 had been limited to one representative, the House would have been reduced to 124 members, while if towns of less than 2,500 had been so limited the House would have been reduced to 164. The drafting committee suggested that the General Assembly be given the prerogative of reducing the number of delegates within the restriction that each town have at least



one representative, but the Convention disapproved this, too. Subsequently, as the population became more concentrated in urban areas, the inequity became more pronounced until moves to the suburbs in the 20th century reversed the trend. The modification of representation which the delegates of 1818 refused to effect, the elected representatives of more recent years refused even to attempt.<sup>22</sup>

Attempts to endow the Senate with the basic characteristics of the former Council failed. A proposal to make the Governor the presiding officer in the Senate was defeated, as was the suggestion, reminiscent of elections of Councilmen, to have this presiding officer selected from a list of twenty nominees. Representation in the Senate was restricted to twelve members, however. Three attempts to provide for a larger initial number of Senators failed as did an effort to provide for a future increase to 21 members two years after the next census.<sup>23</sup>

Although the powers of the Governor remained limited as compared to later standards, the executive department was made independent of other branches of the government. With the exception of the Comptroller, who continued to be appointed by the General Assembly, the officers of the administration were elected by the electors of the state. The provision that the ballots were to be counted publicly and canvassed by the executive officers lessened the possibilities of corruption. The salaries of the administrative officers, although to be fixed by the legislature, were not to be determined annually. In the event the two houses could not agree upon a date of adjournment, the Governor was empowered to adjourn the Assembly to a stated date. The Governor was given the right to veto. It was a power, however, which was not exercised for a number of years and then only at the risk of political fortune.<sup>24</sup> Connecticut was still so afraid of a strong executive that the convention would not approve the drafting committee's statement that "the supreme executive power of the State shall be vested in a Governor."<sup>24a</sup>

The creation of an independent judiciary was recognized as a mandate from the people. It had been a principle of the Republicans for years and in the elections of 1816 and 1817, it was an issue of the campaign. Although the General Assembly was reluctant to relinquish its power of judicial review, by 1818 even a number of Federalists had

spoken out in opposition to the practice. At the convention, the Federalists did not contest the basic idea, but conservatives of both parties rallied to check attempts to limit the tenure of the judges or to make their tenure subject to the will of the General Assembly.<sup>25</sup>

Suffrage rights were extended to include all white male citizens, who had reached twenty-one years of age, who had gained a settlement in the state, who had resided in a town for six months, and who had a freehold estate in Connecticut which had a yearly value of seven dollars. If one had paid a tax within the state during the preceding year, the property qualification could be waived. The liberal element of the convention blocked an attempt on the part of conservatives to strike out a provision whereby militia service could be offered in lieu of the property qualification.<sup>26</sup>

Separation of church and state was assured in an article which guaranteed freedom of conscience to all and granted equality of rights to all Christians. The article was submitted in two sections. The first concerned freedom of conscience and equality of rights and passed by a partisan vote of 103 to 86. The second section initially provided that one could separate himself from any religious society of which he was a member, and, if he left a written notice of separation, would not be liable for any expenses of the group. A Federalist motion to delete this section was defeated, again by a partisan vote of 84 to 105, for the Republicans regarded it as essential to principles which they had maintained and would not see it altered in any way. Two amendments to the first section, however, were then affirmed without a vote. One provided that a person would continue a member of a society until his connection was legally dissolved and met Congregationalist fears of a gross attrition of their societies which would result as members would become delinquent without formally filing a petition. The other amendment provided that tithes, which had already been recognized in the first section, could be imposed only by a majority of legal voters of a society at a legally announced meeting. The state, however, no longer collected tithes for the Congregationalists. Although the influence of Congregationalists was still significant, the union of church and state had been broken.<sup>27</sup>

Once this basic issue had been resolved, the remaining business



of the Convention was speedily concluded. The articles concerning education, impeachment, constitutional amendment, and certain general provisions were adopted as reported or with little change. Proposals of extremists in both parties, which included efforts to restrict the fran-



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GREENWICH—THE PUTNAM COTTAGE

chise, to delete the article on religion, and to limit the judicial terms, were defeated. Work was completed on the afternoon of September 15. After a half hour's recess, the Convention reconvened at five o'clock for a final reading and vote on the constitution. It was accepted by 134 affirmative votes as opposed to 61 negative votes. The convention adjourned the next day.<sup>28</sup>

The constitution to be submitted to the electors in October represented the margin of consent derived from overlapping fringes of attitude and reaction of the members of the constitutional convention.

The 61 negative votes included extremists among the Republicans as well as among the Federalists. If measured in terms of developments elsewhere or in terms of nineteenth century reforms, the constitution was neither new nor radical; if measured by the changes made, the provisions should not be minimized.

The right of freedom to worship "in the mode most consistent with the dictates of their consciences" was admitted and would seem to include non-Christians. Although the assertion that it was "the right and duty of all men to worship the Supreme Being, "the Great Creator and Preservor of the universe," would not imply approbation of atheism, even the right of non-worship would have been technically accorded by the provision that no person shall be compelled to join or support, nor by law be classed with, or associated to any congregation, church or religious association." Equality of powers, rights, and privileges, however, including the "power and authority to support and maintain the Ministers or Teachers of their respective denominations, and to build and repair houses for public worship, by a tax on the members of their respective societies only, or in any other manner," was limited to Christians. Even within the stated limitations, the provision attested to a greatly extended toleration.

The rights of individuals for the first time was incorporated formally into the fundamental law of the state and the power to change this fundamental for the first time was made the sole prerogative of the electors. Suffrage was extended with an alternative provided for even the minimum property qualification and the absence of any reference to "Freemen" not only eliminated the last vestige of a formal religious requirement, but also the dependence of individual rights upon securing personal approbation of a number of fellow residents. Powers and responsibilities were more clearly identified and more definitely distributed to the various branches of government. The judiciary gained a greater independence of the legislature, but the assembly still retained some judicial powers.

The document met the prerequisites of a written constitution. It did not represent the reforms which the extremist among the Republicans desired, yet it went further than the stalwarts of the standing order approved. The response of the electorate indicated that in its entirety



the proposal represented acceptable limits. For some time, the ratification of the constitution was doubtful. Many who had voted for it in convention apparently voted for it as a choice of evils, but did not feel themselves obligated to defend it to their constituents. Many of the Republicans were disappointed that the Constitution did not include additional reforms such as a provision for senatorial districts and did not exert their efforts to secure ratification. The Federalists, who, in convention, had argued unsuccessfully for a two-thirds majority for ratification, now reiterated that a bare majority did not provide adequate protection for the minority. They charged that insufficient time had been allowed for the deliberations of the convention and pointed out that it was only through their efforts that a more revolutionary proposal had not been submitted. Finally, in an effort to gain votes, the conservatives attempted to arouse sympathy for Governor Treadwell, who, it was charged, had been treated unfairly. The one article to which all the Federalists gave their unqualified support was that calling for an independent judiciary. Independent Federalists who had voted according to their own views in the convention rallied to the support of the document and aided in its ratification by electors by a margin of 1,554 votes.<sup>29</sup>

Ratification indicated the vigor of the Republican Party. The opposition was not strong enough in any of the Wolcott towns to turn the electorate against the constitution, while it was ratified by many towns which had voted for Federalists in 1817. The towns of the state which were known to be centers of dissent voted enthusiastically for ratification. Purcell points out that 16 towns repudiated delegates who had favored the constitution and that "of those towns, whose delegates were divided in the convention, six refused to follow Republican extremists in their opposition, while the rest failed to support their Federalist delegates who had favored the constitution."<sup>30</sup> In Hartford, Litchfield and Tolland counties, which opposed ratification, 33 of the 48 towns voted against the document. Opposition was strongest in Litchfield county, where 58 percent of the total number of voters disapproved. In the five counties which approved ratification, 51 towns voted for and 19 against.

The Republicans were so content with the ratification of the con-

stitution, that, except for laws outlining the new election procedures<sup>31</sup> which were demanded by the constitution, they seldom translated their frequently espoused suggestions for reform into legislative action. The administration was already taking on conservative characteristics which were to characterize it for the next decade. There were few members of the General Assembly who demanded reforms at the price of endangering their position by controversy. The Assembly was so in harmony with that which they had purportedly destroyed that it was difficult to cast off the symbols of the old regime. The Senate continued to be referred to as the "council" and its members as "assistants." The militant reformers of an earlier day were acquiring the conservative characteristics of political security.<sup>32</sup>

The Republicans continued their political successes in the Spring election when Wolcott's victory was so complete as to portend his continued election during the next eight years and to permit the conservative Republicans to proceed unchallenged until the 1830s. One staunch Federalist noted that the great ferment did not result in a poisonous brew for the Republicans, but in further defection among the Federalists themselves. Wolcott received more than 90 percent of the popular vote and Republicans secured every seat in the Senate and a large majority in the house.<sup>33</sup> The deterioration of the Federalists continued to the extent that in 1822, the Republicans ceased to fear the possibility of defeat. Federalism was little more than a social clique.<sup>34</sup>

Once the Republicans were entrenched in power, their zeal for reform abated and the central theme of their administration became economy in government. The first programs to receive the economy axe were the state's militia, for which appropriations were reduced in 1819 from eleven to five hundred dollars, and Newgate Prison, for which funds were reduced from \$30,000 to approximately three-fourths the amount.<sup>35</sup> In 1820, the Assembly negated aid to agriculture and manufacturing, and limited the state's liability for the poor, by reiterating the instances in which responsibility rested with the towns. In addition, all monies from the school fund in excess of \$62,000 were diverted to the Treasury, an economy which saved the state \$12,000 a year, but which resulted in a continued deterioration of the educational program. A salary act which reduced the pay of public officials saved approxi-



mately \$7000 and the discontinuance of entertaining the clergy on Election Day effected a further saving.<sup>37</sup>

Such economies were made necessities by tax revision which reduced the grand list by more than twenty-five percent. This revision which had long been a part of the Republican platform had been delayed in 1818. The following Spring Wolcott called for a readjustment of the real estate tax since the growth of urban communities had tended to increase the value of small lots and wealth was measurable in many ways other than land. The special finance committee named to study the problem was composed of farmers in sympathy with Wolcott's conviction that the tax system should reflect the changes in society. Indeed, they stood to gain by the alteration he suggested. Taxes were assessed against stores, banks, and mills at the same rate as against land, 3 percent; against government or corporate stocks at 6 percent; against silver plate at 50 percent; and against a dwelling house and lot at 2 percent. The bill was favored by representatives from poor agricultural towns, while those representing the more prosperous rural towns were split. Only the Federalists opposed the bill, forecasting inaccurately that the tax on stocks and bonds would drive the capital out of the state. Not only was the legislation good politics, but it achieved a beneficial change in the tax base by placing a more equitable tax load on the wealthy. However, the Republicans were afraid to compensate for the overall reduction in the grand list by raising the tax rate. In 1822, the Assembly repealed the tax exemption which the clergy had enjoyed, but for the rest had to effect economies to compensate for the state's reduced income.<sup>38</sup>

Once the Republicans were in power they revealed too ready a tendency to continue institutions as they were. Ironically this was particularly true in the frequently contested court issue. The constitution dealt only with such general principles as that the judges should be appointed by the legislature and should hold office on good behavior. The Assembly in October 1818 determined the number of judges of the higher court, but left many of the details of court organization untouched. In 1819, a calendar of times and places at which courts should meet was provided, but the problem of jurisdiction was not touched. The Superior Court, established in 1711, continued to exercise the same



powers unchanged. The Supreme Court of Errors which had been established in 1784, but abolished in 1806, was revived but its functions were not delineated. Since the same judges constituted both this court and the Superior Court the arrangement merely gave judges the oppor-



(Courtesy Conn. Devel. Comm.)

STONINGTON—OLD STONE LIGHTHOUSE, NO LONGER USED

tunity to review their own cases. County and probate courts, also, were reestablished with the same powers as previously.

The most serious problem was that judicial powers still appertained to the legislative branch. The Republicans had long objected to the practice of having members of the Senate act also as justices of the peace. It had been presumed, at least by the radical Republicans, that this would be eliminated in a program of reform. The Federalists now wished to limit this power of the legislature since it now served to en-



trench Republicans in many localities as justices. The conservative Republicans cited custom as sufficient reason for continuing the policy and tradition once more prevailed. A divorce case which was submitted to the Assembly in May, 1818, before the constitutional convention, provided an opportunity to test the degree to which the Assembly would voluntarily abdicate its judicial powers. This case came up for consideration in the October session, after the convention. The Assembly decided that it had jurisdiction in the case, thereby indicating that it retained the power of deciding the constitutionality of a law. The spirit of reform, which it was one time charged would result in revolution, was sated by the constitutional convention, and the efforts of two decades were dissipated by a mere interest in maintaining party control.<sup>39</sup>

There was a discrepancy between constitutional provision and practice in regard to the Governor's veto. In 1820, the Assembly summarily overrode Wolcott's veto of a bill defining the qualifications of electors and declared that it was an unwarranted interference in legislative affairs. The real test of the veto power came, however, in relation to the steamboat law which provided that no steamboat owned by citizens of another state could navigate the waters of Connecticut unless Connecticut citizens were allowed similar privileges in the former state. The bill grew out of the competition offered Connecticut steamboat companies by New York companies because of a monopoly which the associates of Robert Fulton had secured for the navigation of New York waters. This privilege was interpreted quite liberally, and, in the minds of some, threatened the growth of steamboat lines in Connecticut. Wolcott held that Congress alone could regulate interstate commerce, and that, therefore, both the New York and the proposed Connecticut law were unconstitutional. He held, too, that one state was not competent to redress the grievances suffered by an individual because of another state's actions. He denounced the proposed law as an odious, inhospitable measure which would be injurious to the state of Connecticut. The Assembly, however, did not respect the Governor's wishes and enacted the provision. Although the law came to be regarded as injurious to the state because it interrupted the free flow of traffic with New York, it remained in effect until 1824 when it was made invalid by the decision of Chief Justice Marshall in the *Gibbon vs. Ogden* case. The

importance of the veto as a legislative device was still many years removed. The traditional fear of a strong executive still outweighed the constitution.<sup>40</sup>

Wolcott consistently urged reform legislation, which, although moderate, the Republican Assembly generally would not undertake. The depleted state of agriculture was an object of the Governor's attention and he called on successive sessions of the legislature to enact bills for the benefit of agriculture. Lack of funds and the rising influence of industry blocked assistance. The view, expressed by John Alsop of Middletown, that it was unjust to tax the more prosperous communities for the benefit of the poorer, gave support to the forces which favored local control. By 1821 the condition of the farmer had so deteriorated that Connecticut knew not how to help and turned to the national government for assistance. Later efforts to assist the farmer were unsuccessful.<sup>41</sup>

Wolcott was equally unsuccessful in his efforts to aid education. He outlined the continuing deterioration of public education, severely criticized the appropriation act of 1820, pointed out that it had been intended that the school fund would supplement, rather than replace, support of schools by taxation, and recommended that local communities raise taxes for the support of their schools. Not only was this not done, but local communities also returned to the Assembly legislators who consistently voted against state aid in any form and education continued to languish for a number of years. Wolcott's recommendations were degrees more liberal than the Republican dominated Assembly was willing to translate into action.

The apparent dichotomy between Republican principle and practice aroused some of the more liberal in the party to protest. The dissenting element was led by John Milton Niles of the *Hartford Times*, who believed that the party had not taken advantage of the opportunities made possible by the new constitution. Support for this view came from Henry W. Edwards and from Thomas and Henry Seymour. Defections led to the presentation of multiple slates of officers in 1822. The rising influence of the group is indicated by Wolcott's appointment of Edwards to fill the unexpired term of Elijah Boardman in the Senate. The controversy over Edwards' appointment raged for



two weeks, the conservatives charging that he was a "New Light Republican." The Niles group, of course, rallied to his support and secured confirmation of the appointment somewhat to the chagrin of the conservatives.<sup>42</sup>

As predicted, Edwards supported Andrew Jackson in the disputed election of 1824. The Connecticut delegation in the House gave its support to Adams, primarily, it would seem, because the state voters viewed the other candidates as lacking in proper respectability. It was apparently the Jacksonian challenge to respectability which stirred the Federalists to action again. They entered a slate of candidates in the election in 1825 and again in 1826. The 35 towns which they carried in their second effort was a respectable showing but did not approach control. Yet this challenge combined with the defection within the Republican party itself warned the Republicans that a party cannot forever sustain itself in power by economy alone and prodded them into giving attention to some of the needs of society.<sup>43</sup>

A step in the direction of needed social reform was achieved by a law making it possible for an alien to hold land in the state. The power of granting permission for this had rested with the Assembly but was transferred to the Superior Court which was expected to grant this permission after the alien had resided in the country for six months and had established himself as being of good character. Connecticut was immediately more attractive to aliens and the bountiful human resources which Connecticut since gained from foreign lands must establish this new provision as one of the most significant legislative acts of any period.<sup>44</sup>

A law abolishing the imprisonment of women for debt was a step forward in the establishment of humane practices, particularly as it was a precursor of general abolition of imprisonment for debt. It has been hailed, too, as a step toward recognition of rights of women and "the most liberal advance attained by the Republicans since their rise to power."<sup>45</sup> Although humanitarian, however, it might be regarded as constituting a limitation of woman's rights. A similar proposal had been defeated in 1823, in fact, as class legislation. In 1826, Samuel Danna of Middletown led the fight for the bill, outlining the tax status of women in other countries and arguing that the incarceration of

women for debt was contrary to the spirit of Connecticut government and concluding that "in more enlightened countries . . . she ought to be exempt, at least, from the degradation of imprisonment for debt." The act prohibited the imprisonment of any woman on a civil process arising from a contract.<sup>46</sup> In addition to keeping her out of prison, it possibly, also, operated to eliminate her contractual opportunities.

Further attempts at reform during Wolcott's tenure in office were of no avail. The Assembly ignored his plea in 1825 for an enlargement of the transportation facilities and even abolished his right to issue proclamations requesting funds for charity. At this time sufficient sentiment developed in favor of increasing the membership of the Senate to twenty-one members who would be elected by counties that the proposal secured the approval of the lower house. It became a political issue in the next year's election. Republican leaders shifted their support to opposition to the bill. An anti-district majority was returned to both houses and the amendment failed. The unrestrained circulation of bank notes of many denominations and the failure of the Derby Bank and the Eagle Bank of New Haven made the need for banking legislation apparent. Some in the Assembly favored instituting a general banking policy and Wolcott had indicated the necessity of such legislation, the Assembly was content merely to suspend the charter of the Eagle Bank and to revoke that of the Derby Bank. General legislation was postponed.<sup>47</sup>

Although Oliver Wolcott had steered a moderate course since his election in 1817, his attempts to translate the principles implicit in the constitution into legislative realities had frequently aroused the antagonism of the more conservative Assembly. Legislators regarded his exercise of the veto as unwarranted meddling in the legislative process and had followed his leadership only when it seemed to accord with their own standards of conservatism or when political realities dictated that they should provide a program which would enable them to continue to mouth the principles of liberalism. In 1827, the Republicans did not renominate Wolcott, but rather Gideon Tomlinson. During office Tomlinson also advocated reforms and his recommendations were also ignored by the Assembly. Tomlinson has been characterized as a forerunner of Jacksonian democracy. Had he been nominated in order that the



Republicans could ostensibly sail under the aegis of reform while remaining becalmed in a sea of conservatism? Wolcott and the small coterie of the Niles group had been almost alone as purveyors of new ideas in the period 1817-1827. Those who controlled the legislative process after 1817 indicated scant difference in political philosophy from those whom they replaced. Republican rule had "strengthened many features typical of the earlier period" Morse has said and in illustration has pointed to "a love of precedence, subservience of the executive to the legislative, and long tenure of office."<sup>48</sup> Nor can the failure to inaugurate more needed reforms be assessed against the poverty of the state. Capital and savings were accumulating during the period. Certainly poverty did not compel the reduction of expenditures, perhaps, as has been suggested the Connecticut Republicans "worshipped economy for its own sake."<sup>49</sup>

## NOTES—CHAPTER XVII

- <sup>1</sup> Frederic Calvin Norton, "The Governors of Connecticut, Being the Third of the Biographies of the Chief Executives of the State," in *The Connecticut Magazine*, Vol. VII, Series of 1902, No. III-IV, December, pp. 291-94; Purcell, *Connecticut in Transition*, pp. 332-34.
- <sup>2</sup> *Ibid.*, pp. 351-55.
- <sup>3</sup> *Statutes, 1808-20*, p. 281.
- <sup>4</sup> Purcell, *Connecticut in Transition*, pp. 355-56; *Statutes, 1808-20*, p. 282.
- <sup>5</sup> Purcell, *Connecticut in Transition*, pp. 356-57.
- <sup>6</sup> *Ibid.*, pp. 357-63.
- <sup>7</sup> *Ibid.*, pp. 361-62.
- <sup>8</sup> *Ibid.*, p. 363; *Statutes, 1808-20*, p. 297.
- <sup>9</sup> Purcell, *Connecticut in Transition*, p. 364.
- <sup>9a</sup> J. Hammond Trumbull, "Historical Notes on the Constitutions of Connecticut and on the Constitutional Convention of 1818" (Hartford, 1901), p. 42.
- <sup>10</sup> *Ibid.*, p. 43.
- <sup>10a</sup> *Ibid.*
- <sup>11</sup> Purcell, *Connecticut in Transition*, p. 369.
- <sup>12</sup> Trumbull, "Notes on the Constitutions of Connecticut," pp. 45-46.
- <sup>13</sup> *Ibid.*, pp. 46-50.
- <sup>14</sup> *Ibid.*, pp. 52-53.
- <sup>15</sup> *Ibid.*, pp. 52-54; Purcell, *Connecticut in Transition*, pp. 375-76.
- <sup>16</sup> "Journal of the Proceedings of the Convention of Delegates, Convened at Hartford, August 26, 1818, for the Purpose of Forming a Constitution of Civil Government for the People of the State of Connecticut" (Hartford, 1901), pp. 7-16.
- <sup>17</sup> *Ibid.*, pp. 16-24.
- <sup>18</sup> Trumbull, "Historical Notes on the Constitutions," p. 56.
- <sup>19</sup> "Journal of the Proceedings of the Convention," p. 73.
- <sup>20</sup> Trumbull, "Historical Notes on the Constitutions," p. 55.

- <sup>21</sup> *Ibid.*, pp. 55-56; Purcell, *Connecticut in Transition*, pp. 381-85; "Journal of the Proceedings of the Convention," pp. 74-77.
- <sup>22</sup> *Ibid.*, p. 79; Purcell, *Connecticut in Transition*, pp. 386-88.
- <sup>23</sup> "Journal of the Proceedings of the Convention," pp. 27-34, 56-57.
- <sup>24</sup> *Ibid.*, pp. 35-39; Purcell, *Connecticut in Transition*, pp. 390-93.
- <sup>24a</sup> "Journal of the Proceedings of the Convention," p. 82.
- <sup>25</sup> *Ibid.*, pp. 39-46; Purcell, *Connecticut in Transition*, pp. 393-98.
- <sup>26</sup> "Journal of the Proceedings of the Convention," pp. 46-47; Purcell, *Connecticut in Transition*, pp. 393-98.
- <sup>27</sup> *Ibid.*, pp. 401-403; "Journal of the Proceedings of the Convention," p. 67; Bomhoff, "Development of State Support for Teacher Education," p. 17.
- <sup>28</sup> "Journal of the Proceedings of the Convention," pp. 54-72; Purcell, *Connecticut in Transition*, pp. 403-409.
- <sup>29</sup> *Ibid.*, pp. 408-12; "Journal of the Proceedings of the Convention," pp. 58-60.
- <sup>30</sup> Purcell, *Connecticut in Transition*, pp. 412-14.
- <sup>31</sup> *Statutes, 1808-20*, pp. 131-36.
- <sup>32</sup> Jarvis Means Morse, *A Neglected Period of Connecticut's History, 1818-50* (New Haven, 1933), pp. 36-37.
- <sup>33</sup> *Ibid.*, pp. 37-38; Increase N. Tarbox, ed., *Diary of Thomas Robbins, 1796-1854*, 2 vols., (Boston, 1886), Vol. I, p. 779-781.
- <sup>34</sup> *Ibid.*, pp. 36-39, 46, 54.
- <sup>35</sup> *Ibid.*, p. 39; Walcraft.
- <sup>37</sup> Morse, *Neglected Period*, pp. 47-50; Capen, *Poor Laws*, p. 139; Bomhoff, "Development of State Support for Teacher Education," p. 19.
- <sup>38</sup> *Ibid.*; *Statutes, 1808-20*, pp. 339-344; Morse, *Neglected Period*, pp. 39, 51-56.
- <sup>39</sup> *Ibid.*, pp. 43-46; *Statutes, 1808-20*, pp. 358-64.
- <sup>40</sup> Morse, *Neglected Period*, pp. 56-59, 64, 71.
- <sup>41</sup> *Ibid.*, pp. 50, 52-53.
- <sup>42</sup> *Ibid.*, pp. 61-63, 69-71.
- <sup>43</sup> *Ibid.*, pp. 71-74, 77; Tarbox, ed., *Diary of Thomas Robbins*, Vol. I, p. 995.
- <sup>44</sup> Morse, *Neglected Period*, pp. 71-72.
- <sup>45</sup> *Ibid.*, pp. 79-80.
- <sup>46</sup> *Statutes, 1808-20*, p. 490.
- <sup>47</sup> Morse, *Neglected Period*, pp. 74-80.
- <sup>48</sup> *Ibid.*, p. 86.
- <sup>49</sup> *Ibid.*, p. 88.



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## Chapter XVIII

### The Jacksonian Impression

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THE VOICE OF DISSENT was expressed in the rise of Jacksonian democracy and Governor Gideon Tomlinson, who had been identified as its advance agent, probably led the state toward as great a break with the past as the climate of opinion would permit. Yet, the beginning of Tomlinson's and the end of Wolcott's term of office did not bring any immediate change in the course of legislation in Connecticut. The influence of John M. Niles and Henry W. Edwards in state politics increased, but changing personalities did not herald changing legislative policy. Economy continued to be practiced, it would seem, for its own sake.

Gideon Tomlinson gained his first public office when he was elected to the state legislature from Fairfield during the Republican uprising in May, 1817. He was chosen Speaker of the House the following year.<sup>1</sup> At the Constitutional Convention, Tomlinson was a member of the drafting committee, but did not participate in the debates on its recommendations. He identified himself as a good party man, voting with the majority on 18 of the 23 recorded votes. He was absent or abstained on two of the votes and voted against the majority only three times. Inasmuch as these three votes all related to the composition of the Senate, however, they distinguished him from the middle-of-the-road Republican.<sup>2</sup> The next year he was sent to Congress where he established a close association with the administration which continued until he returned to Connecticut in 1827. Before he left Washington he fell under the influence of Senator Everett Edwards of Connecticut, who attempted unsuccessfully to turn him into a genuine Democrat. The Senator's persuasiveness and voluminous correspondence did push the

future Governor a step toward Republicanism.<sup>3</sup> Tomlinson's tenure of office extended from 1827 to 1831, but he ran as the nominee of the Union Party in 1828 and of the Independent Party in 1829 and 1839. His return to office then, rather than signifying a triumph for liberalism, constituted a stemming of rising tide of Jacksonianism and the postponement of the election of a Democratic Governor.<sup>4</sup>

Andrew Jackson did not represent that particular type of respectability which Connecticut expected of men in public office. In 1828, the *Courant* proclaimed that Jackson's election would mean the beginning of tyranny. People were urged to vote the anti-Jackson Reform ticket, if they did not wish to be hanged by the neck without judge or jury or be a mark for an assassin. Copies of the "coffin handbill," which allegedly traced the bloody deeds of General Jackson, were circulated throughout the state.<sup>5</sup> Jacksonians were envisaged as a fearsome rabble composed of hordes of slave owners, military adventurers, and grasping office seekers.<sup>6</sup> A mob burned the President-elect in effigy in the windows of the State Capitol on January 8, 1829, the anniversary of the battle of New Orleans.<sup>7</sup> Even at the close of Jackson's first administration, there remained a strong distrust of him. Connecticut "respectability" did not approve of one whom they charged to be governed by his passions and attuned to the kitchen cabinet, with a lack of integrity and sufficient intelligence to understand the constitution and not usurp the powers of the legislative and judicial branches.<sup>8</sup>

Despite the anti-Jackson sentiment, Tomlinson, on occasions, talked like a Democrat and sometimes suggested legislation which was in accord with the spirit of reform. In his first message to the legislature, he expounded the idea associated with Jackson that one man was as qualified as any other to hold public office, although without discounting his own special talent and ability. In this message, too, he outlined a legislative program touching on the economic and social problems of the state, calling for speedy and impartial justice, facilities for the expansion of industry, and a crusade against poverty and crime. In subsequent years he returned to these issues and added pleas for special facilities for juvenile defenders and emphasized the needs of education. By 1830, the Republican Party was beginning to divide into Jacksonians and Conservatives. By the Spring of that year, the Jacksonians had



made sizeable gains in the Senate and in the lower house. It was demonstrated repeatedly, however, that the legislature was more interested in political than in social problems.<sup>9</sup>

The question of representation in the Senate had become acute by



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the year Tomlinson became Governor. Since the constitution had been adopted in 1818, the legislature had failed six times to agree upon a plan for establishing senatorial districts. In practice each of the small counties, Windham, Tolland, and Middlesex, had the privilege of electing one Senator; New London two; and each of the other four counties two, except that one year in four each of them elected only one Senator. This informal arrangement achieved a reasonably equitable representation in the Senate of the various areas in the state. In 1827, however, when Hartford County was to elect only one Senator, she insisted upon electing two, and a formal settlement was needed.

Sentiment in favor of the district plan was aided by clever maneuvering which secured agreement in the house in 1827 and the necessary two-thirds approval of both houses the following year on a bill to amend the constitution. There was general agreement that the Senate should be increased in size, but there were differences in regard to the method of districting. Finally, it had been agreed that single member districts would be drawn, in a manner not to cross county lines insofar as this was possible, and each county would have at least two senators. The majority necessary for the passage of the bill was assured by virtue of opposition from Jacksonian Democrats, especially John M. Niles. Those who supported districting adroitly identified all in opposition as Jacksonians. The dislike for Jackson was such that the voters in 1828 returned to the legislature a predominance of pro-district men and secured approval of the bill. When the vote on the districting bill was referred to the voters in the November 1828 election, its outcome was uncertain. This first amendment to the constitution was approved, however, by a vote of 8,630 to 7,873.<sup>10</sup>

The details of implementation were left to the legislature. Although completely proportional representation was preferred by many, this was impossible to achieve because of the provision that districts should not cross county bounds and that each county would have two Senators. In the final determination, it was provided that the state was to be divided into twenty-one districts with one Senator to be elected from each district. This method of apportioning the Senate was fixed from the moment the amendment became effective in 1830. Its political effects were first measured in the Spring election of that year.

Previously preferences for nominations for the Senate were indicated at the caucuses held during sessions of the General Assembly. The district plan required a more direct influence of the people. Therefore, district conventions replaced legislative caucuses. Rival factions contended in several districts and some who were nominated did not choose to run. Confusion reigned throughout the state, compounding the existent discord in the Republican party for the benefit of the Jacksonian element.<sup>11</sup>

The passage of the district bill and its approval by the voters did not mean that the legislature was ready to embark on a reform program.



Proposed Constitutional amendments to provide for the popular election of justices of the peace and to reduce the membership of the lower house to one delegate from each town were summarily set aside. An attempt to create a probate district in each town failed to pass for the ostensible reason that all towns did not have residents of sufficient training to assume the responsibility.<sup>12</sup> The degree of apathy and the penury of the legislature is revealed further in its failure to respond to the organized efforts to improve the common schools.

The General Assembly was made thoroughly aware of the need for improvement in education. Many members of the Assembly were members of the Society for the Improvement of Common Schools. Other public officials were members of local associations for the betterment of education. Governor Tomlinson was elected to membership in the Hartford County Society for the Improvement of Common Schools of which John S. Peters, the Lieutenant Governor, was first president. The Governor repeatedly called for assistance to education and the members of the Assembly received petitions for the improvement of education. Such petitions were generally referred to the education committees, which presented numerous proposals to both houses of the legislature, including a proposal recommended by Governor Tomlinson to increase local taxes one cent on each dollar of the grand list. This would have raised a sum equal to the total amount then being collected for the operation of the state's government. The members of the Assembly, governed by their conception of political realism, did not pass this bill.<sup>13</sup>

John Niles, Noah Phelps, and Gideon Welles, leaders of the Jacksonian Democrats, who were less than enthusiastic about school reform, attempted to turn attention to Republican characteristics which they found reminiscent of the Federalists.<sup>14</sup> First they saw, in the question as to the right of Universalists to offer testimony in court, an infringement of freedom of religion. The Supreme Court had ruled in 1828 in the case of *Atwood vs. Walton* that Universalists were incapable of giving legal testimony under oath. Judge David Daggett had ruled that one who did not believe in accountability to God or in a future state of existence could not be considered a competent witness. The Jacksonians protested vigorously. Gideon Welles expressed the opinion that reli-

gious belief or disbelief should not debar a person from the privilege of acting as a witness. A bill to this effect was presented to the assembly and carefully buried in the Judiciary Committee by the conservatives. A counter proposal was drafted which would have confirmed the court's decision by statute, but the Senate failed to act upon it before the session ended. A committee appointed to reconsider the question of testimony recommended in the 1829 session of the General Assembly that all ecclesiastical tests for court witnesses be abolished. It was argued that heavy fines guarded against false testimony. The majority termed the proposal sacrilegious. A compromise measure provided that anyone believing in a Supreme Being should not, on account of religious belief, be held an incompetent witness. By this, Universalists were permitted to offer testimony, but, technically, at least, atheists were denied the right.<sup>15</sup>

Other remnants of tradition remained which could be attacked in the name of Liberalism. The Jacksonians charged, for example, that the election day ceremonies had outlived their usefulness. In these the horse guards and state militia were involved. Also, the clergymen of the state, its officers, and the members of the Assembly were entertained at a banquet which was followed in the evening by a formal ball. Processions, salutes, and entertainment cost about \$180 a year in 1829 according to a committee report. The procedure was considered a violation of the separation of church and state and a burdensome expenditure. Although of scant intrinsic importance, since the sermons had ceased to have political significance after 1818, the issue served to identify the Jacksonian minority with the growing spirit of secularization and was a base upon which a majority might someday be built.<sup>16</sup>

Opposing groups coalesced to check the force of Jacksonianism. Old Hickory had begun to use the power of patronage and a number of Republicans, both on the local and on the Federal level, had been replaced by Jacksonians.<sup>17</sup> Charges of intrigue were mixed with the protests and denunciations of the Jacksonian mob which came from meetings held in Hartford in the Fall of 1830, by Federalist remnants and Republicans.<sup>18</sup> The factions closed ranks as the National Republican Party and adopted the tenets of Clay's American system as their party's platform. To give the old party with the new name the semblance of a



new character, an apparently more popular method of selecting nominees for state offices was introduced. A state convention was called to make the nominations instead of leaving these up to a small party caucus.<sup>19</sup>

The new system of electing candidates did not break the custom of choosing the Lieutenant Governor to succeed the Governor as the choice of the party. Since Gideon Tomlinson had been named Senator, John S. Peters, the Lieutenant Governor, became the standard bearer of the conservatives. The National Republican Party appealed to the people to "rouse up and see who are their friends before it be forever too late."<sup>20</sup> Their candidate won the office of Governor easily and the party also secured a majority in both branches of the legislature. The Democrat, Henry W. Edwards, however, gained the largest number of votes for Lieutenant-Governor, yet not a majority. The selection of the person to fill this position, therefore, had to be decided by the Assembly.<sup>21</sup>

This disputed election resulted in a constitutional amendment accepted in 1832 which provided that when the General Assembly had to select a Lieutenant Governor, Secretary of State, or a Treasurer, it would follow the same method as was prescribed for the selection of a Governor. In the 1831 dispute, the House had followed the precedent of 1823 and had invited the Senate to joint session to determine who would be Lieutenant Governor. The Senate refused to meet in joint session, insisting that since the dispute concerned its chairman, it should have the exclusive responsibility for selection. The House promptly reacted by naming Orange Merwin, a National Republican. The Senate refused to confirm this selection and countered by choosing Edwards. Since neither house would yield, Robert Fairchild was asked to act as Chairman of the Senate, and the state went without a Lieutenant Governor. The situation was too absurd to allow repetition, and the disputed elections bill was passed and ratified without incident. In the future, such an issue was to be decided without debate by a joint vote of both houses.<sup>22</sup>

The National Republicans did not constitute a positive political force in the state. They could not divest themselves of fears of Jacksonianism, yet were unable to do more than guard against the dreaded day

when Connecticut would succumb to the forces of "mobocracy." Peters, nephew of the arch-Tory Samuel Peters, whose experience hardly extended beyond the narrow limits of Hebron before his election as Lieutenant Governor, was not equipped to vitalize a party. The Republicans in the National Assembly wasted their time discussing national issues about which they could do nothing. They failed to enact a concrete state legislative program and earned the Democrats' reproachful designation "twaddlers." They were unwilling to translate the demands for reform into legislation. Instead, they sought to turn back the clock and repeal the law passed in 1830 abolishing the religious features of the election day ceremonies. The Democrats seized upon the issue as evidence of the true character of the Republicans and killed the bill in the Senate. The barrenness of constructive idea in the party was shown by the attention to this issue, yet the Republicans were successful in 1832. Their success was hailed as victory for the "sturdy freemen" who had again "thrust back impending corruption."<sup>23</sup> This, however, was the party's last major victory.

Even though Connecticut supported Clay, the impetus of Jackson's victory in 1832 carried over into the gubernatorial election in Connecticut the following Spring. The Democratic convention opened confidently and festively around a hickory tree set against a colorful background in the convention hall. Under this symbol of Jacksonian Democracy, Henry W. Edwards was nominated for Governor and a relatively liberal platform was adopted. The party stood for a free and unrestricted franchise, limited judicial terms, and tax revision to favor labor.

The Republicans, supporting high tariffs and identified as the protectors of the manufacturers, felt secure, since Jackson had proposed a tariff reduction and Connecticut sentiment for a high tariff had increased. However, the Anti-Mason Party cut into the vote of both the other parties and no gubernatorial candidate received a majority of the vote, although the Republican, Peters, received more votes than the Democrat, Edwards. The contest was to be resolved by the General Assembly, where the Democrats exercised their recently gained majority to elect Edwards the Governor.<sup>24</sup>

In this session, when the Democrats first controlled the Assembly,



they gave some indication of attempting a bold program of reform to accord with the beliefs they proclaimed in their campaigns. Statutes were enacted ending the exemption of clergymen from the poll tax, altering restrictions on liquor sales, and abolishing restrictions on recreation on public fast days. These accomplishments, however, were less



*(Courtesy Hartford Chamber of Commerce)*

HARTFORD—TRINITY COLLEGE

than revolutionary. An amendment to change the date of the convening of the legislature from May to January was blocked by rural representatives who apparently valued tradition more than the opportunity to get home to care for their crops. An effort to drive a wedge into the property qualification for voting by permitting those who moved into the state to vote after a year's residence without fulfilling the customary



property requirement was unsuccessful. Action was postponed on another proposed constitutional amendment to permit a voter to cast a single ballot on which all candidates would be listed rather than to cast a separate ballot for each office seeker. Only small strides were made, then, toward social progress by these measures and added to them was a statute granting to civil authorities of towns the prerogative of denying a license to schools for negro children.<sup>25</sup> The democratic ideal has many dimensions and Jacksonian Democrats in 1833 kept it within the bounds of Connecticut interests.

A visit of Jackson and Van Buren to the state during the summer of 1833 could not offset the disadvantages which beset any party with the misfortune of being in power during a business depression. Several sections of the state were affected by the dip in the economy. A number of stores in New Haven and factories in various parts of the state were closed, and the mills in the Hartford area were operating on part time.<sup>26</sup> Once again, the Republicans combined forces with the Federalists and laid the basis for the nascent Whig party, developing as anti-Jackson forces coalesced.<sup>27</sup> Voters were urged to restore the state to its usual prosperity by voting against the Democrats. The majority was not persuaded, but a sufficient number of voters returned to the conservative fold to force the choice of Governor into the Assembly again. The Whigs had the commanding vote here and Samuel A. Foote, with Yale-Litchfield credentials, was the choice for Governor.<sup>28</sup>

The Whig-dominated General Assembly of 1834 did little more than damn the politics of the national administration and undo the work of the previous Democratic Assembly. It repealed an act of 1833 dividing the state into districts for the election of Congressmen. It also rejected the amendment for the short ballot only in order to credit their party with this arrangement, for they adopted a similar resolution for consideration in 1835. Many groups in Connecticut society were calling for change, yet the Whigs were content, in the absence of a positive program, to attempt to end "Democratic tyranny." When the depression continued, they were forced to share responsibility for it and the issue on which they had come to power was cut from beneath them. Federalism, this time under the name of the Whig party, once more was defeated; the voters returned Edwards to the Governor's chair.<sup>29</sup>



Edwards was equipped by training and birth to give leadership to a period of reform. He was the great-grandson of the "Pope of the Connecticut Valley," the grandson of the finest intellect in eighteenth century America, and the son of a member of the Continental Congress. After completing his courses at Princeton and at Litchfield, Edwards had begun the practice of law in New Haven. From 1819 to 1827, he represented the state in Congress, as Representative and as Senator. When he was elected to the state Senate in 1827, he was already identified as a part of the advance guard of Jacksonianism. Edwards was elected to the House in 1829 and during the Tomlinson administration he was in a strategic position to advance the cause of the Democrats and to gain further knowledge of the intricacies of the Connecticut legislative process. As Governor in 1833, he had not recommended a bold program. During the years 1835-38, however, he came forward with legislative proposals which were in marked contrast to what the General Assembly had been willing to enact.<sup>30</sup> The Democratic proposals ranged across many subjects and included recommendations to alter suffrage requirements, modify the judicial system, introduce social reforms, and encourage business and improve the economic condition of the state. Through statute and constitutional amendment, attempts were made to bring Connecticut life more nearly in accord with the spirit of national developments.<sup>31</sup>

The base for suffrage was broadened by an alteration in the mechanics of voting rather than through any direct enfranchisement of large groups of Connecticut residents. The amendment for a short ballot was revived by the Democrats in 1835, passed for a second time in 1836, and ratified by the voters in the November election of that year. When this amendment was first introduced in 1833, it had been argued that the system of casting a separate ballot for each candidate was so cumbersome as to make it impossible for large numbers to vote. Conceivably, then, the change in the voting method enabled a larger number of the working class to exercise their franchise rights. Recommendations to abolish property qualifications for voting and to permit anyone who was a citizen of the United States to vote failed to secure the approval of the Assembly. Although the Assembly would not approve any direct extension of the franchise, it killed a proposal to deny

the right of suffrage to college students, refusing to further restrict the privilege.<sup>32</sup>

The Assembly was even more cautious as it considered measures relating to the judiciary system. Criticism that the course of justice was too slow had resulted in an effort to make the courts subject to greater legislative control. A constitutional amendment to limit the membership of the Superior Court to five members to be named by the General Assembly was proposed in 1835 and amended the following year. As amended, the Superior Court Justices then in office would continue in office until 1837 when the Assembly would make new appointments. A defect in the draft of the resolution was discovered the next year which, it was argued, could limit the tenure of the judges to one year and thereby make them completely subject to the will of the legislature. Accordingly, the proposal was set aside and an amendment was introduced which established a five year term for superior court judges. The amendment calling for popular election of Justices of the Peace failed to secure the approval of the Assembly for the required second time. Such proposals as permitting atheists to testify in court were summarily dismissed as extreme. The abolition of the provision that jurors should be freeholders was a measurable advance, however.<sup>33</sup>

The move to pass a general incorporation law was good Jacksonian doctrine. Jackson had waged a dramatic battle against the concentration of wealth and power in a single class.<sup>34</sup> Edwards, in his address to the Assembly in 1836, pointed out the need for a general incorporation law. He based his recommendation upon the desirability of saving time and avoiding an undue amount of private legislation, instead of pointing to the corruption and opportunity for purchasing votes which prevailed under the separate charter procedure. Obviously, the special charter provision was supported by those who had already secured charters and wished to keep out competition.<sup>35</sup> Strangely, the opposition of delegates from the small towns blocked passage of the proposal until the next year when the Hinsdale Act was passed.<sup>36</sup> The bill established the general laws governing the conduct of a corporation: it was required that the articles of corporation be published; that the books of the corporation be open to any stock holder; and that a certificate specifying the purpose of the company, the amount of capital, the amount paid



into the company, the names of the stockholders, and the amount of stock held by each be filed with the Secretary of State.<sup>37</sup> As has been pointed out, this "first modern corporation law" was a part "of the legacy of Jacksonian democracy."<sup>38</sup>

Democratic success at the polls and achievement of legislation in the Assembly were determined by the degree to which the party secured at least partial support in the traditionally conservative small towns. The appeal of Jackson helped secure their votes in times of national elections. It was only by artful statecraft that this support could be retained to implement a constructive legislative program. Their approval was won by the geological survey proposed by Edwards in 1835. The popularity of studying the natural resources of the state was indicated when additional funds were voted in 1836 and 1837. The administration's support of railroads also appealed to Connecticut farmers who were already experiencing problems in getting their products to market. The support of the Democratic party by the small towns was always precarious and continually demanded additional stimulus.<sup>39</sup>

The distribution of monies received from the Federal government from the surpluses in the national treasury offered an opportunity to make a special bid for the support of the small towns. At a special session of the General Assembly in December 1836 the Governor recommended that these funds be placed in the charge of the school fund commissioner. He pointed out that the annual dividend, then \$1.05, received for each child could be trebled by the addition of these funds. Some of the pressure for improved schools had subsided by 1836 and the Assembly refused to follow the Governor's suggestion. Instead, the money was divided among the several towns according to population. Each town was to serve as a trustee of the state in administering its fund and in allocating the proceeds from its share of the capital which was to remain intact. One half of the proceeds was to be used for public schools and the other half was to be applied to the ordinary expenses of the town. The return of the Democrats to office in 1837 attested to the political merits of the plan.<sup>40</sup>

In the three years of Democratic control, significant, but limited, advances had been made in the area of social reform. The Assembly was not yet ready to approve such an advanced suggestion as the abolition of

capital punishment, which was offered by the Whigs in 1837, yet the continuing depression had given emphasis to the need for reforms in areas where economic conditions accentuated the inadequacy of practice. For example, a mechanic's lien law was passed in 1836, which provided that wages would receive priority of payment. Also, in 1837, it was proposed that imprisonment for debt be abolished. The action of the House on the morning of June 9 to postpone the bill until the next session was reversed in the afternoon. The Senate, which appeared to have the political strength to direct the vote of the House, had approved the bill in the meantime. On the vote in the House to reconsider and concur, the bill was passed by the overwhelming majority of 164 to 18. There is reason to believe that either there was a misunderstanding of the purpose of the vote or else there had been sharp political maneuvering. Subsequent motions to suspend the act, however, were defeated as the Jacksonian forces held firm.<sup>41</sup>

The panic of 1837 focused the attention of the Governor and the Assembly on the financial condition of the state. The state was authorized to borrow \$25,000 and assessed a tax of one cent on each dollar of the grand list to meet the general expenses of the government. A proposal to extend the credit of the state further for the development of internal improvements, including rivers, canals, and railroads, was defeated.<sup>42</sup> The state had never quite recovered from the business depression of 1834 and the lack of specie which characterized the panic generally resulted in an effort to increase the money supply within the state. The Assembly approached the question of issuing additional paper money with customary caution. Proposals which would have permitted the banks to have issued bills payable in New York or Boston notes or to receive small bills of credit of other states were defeated. Instead, banks were authorized to issue post notes for a limited time.<sup>43</sup> An 1835 bill prohibiting the circulation of small bills was repealed and bills in denominations of one or two dollars were made redeemable in specie. Such measures were definitely temporary, however. At the same time it was provided that the circulation of all bank notes in denominations of less than five dollars was prohibited after July 1, 1838.<sup>44</sup> In the meantime, efforts were made to overhaul the banking system in the state.

Legislation was approved which was designed to check some of the



monopolistic tendencies of banking. The General Assembly in 1836 appointed a special committee, consisting of the State Treasurer, the Comptroller, and the Commissioner of the School Fund to investigate the banks of the state.<sup>45</sup> The prohibition of branch banking, multiple directorates, and proxy voting, included in legislation of 1837, anticipated subsequent developments. The rule to limit the declared dividend to the earned profit and to limit the amount of a Director's indebtedness at his own bank were obvious efforts to check undesirable practices.<sup>46</sup> The state's intention to continue to exercise supervisory control was evidenced by the appointment of two banking commissioners. Even though Jackson had fought the Bank of the United States and Gideon Welles had sent Van Buren congratulations when he heard of the establishment of the independent treasury system, the Democrats saw to it that Connecticut remained in the banking business.<sup>47</sup> Ironically, it was the defense of a bank which cut short the gubernatorial tenure of Henry W. Edwards.

The Governor's veto of a resolution repealing the charter of the New Haven bank was the first veto in the history of the state to be upheld by the Assembly. Early in the 1837 session, the Assembly received the report of a committee appointed in 1836 to investigate the New Haven Bank.<sup>48</sup> The bank filed its reply and an immediate contest evolved around the number of copies of the reply which would be printed. Inasmuch as the 250 copies which had been suggested would have been sufficient for legislators, the approval of the printing of 1,000 copies would seem to have been of benefit to the bank in the formation of public opinion. In any case, the Governor's veto was upheld when the bill did not pass in the Senate over his veto.<sup>49</sup> Because of opposition to a strong executive, however, Edwards did not again receive his party's nomination for Governor.<sup>50</sup>

The underlying forces of Connecticut politics in the period from 1827 to 1837 remained remarkably similar to those which had operated in the previous decade. Respectability continued to be the standard against which the desirability of change was measured. Attempts to protect man against his fellow man through legislation were regarded skeptically as possibly weakening the moral fiber and lessening the independence of individuals. Although twenty years had elapsed since

the Council had been stripped of its exclusive prerogatives, the wishes of the Senate on critical issues continued to be frequently the determinant in legislation. Small towns retained their disproportionate strength and continued as guardians of steady habits, but their cooperation could be gained in exchange for programs of special interest to them.

There were, however, some subtle changes in the political climate during the decade. Although there was no inclination to broaden the franchise greatly, the people were brought closer to the affairs of government by the redistricting of the Senate, the introduction of the caucus, increased interest in public affairs, and a significant increase in the exercise of the franchise. Perhaps the margin of difference between the political parties was not great, yet the single party tradition had been broken. The existence of two or more parties and the fluctuation of their political fortune were revealing the machinery through which the margin between parties could be trimmed or extended as the people desired. Although only limited advances had been made in the area of social reform, a basis had been laid upon which a broader program might be based.

## NOTES—CHAPTER XVIII

<sup>1</sup> Norton, "Governors of Connecticut," *Connecticut Magaine*, Vol. VII (1901), pp. 296-97.

<sup>2</sup> *Journal of the Constitutional Convention*, pp. 12-72; Morse, *Neglected Period*, p. 89.

<sup>3</sup> *Ibid.*; Norton, "Governors of Connecticut," *Connecticut Magazine*, Vol. VII, pp. 296-97.

<sup>4</sup> *Ibid.*, pp. 297-98; Morse, *Neglected Period*, 93, 99, 104, 109.

<sup>5</sup> *Ibid.*, p. 92.

<sup>6</sup> *Ibid.*, p. 97.

<sup>7</sup> *Ibid.*, p. 98.

<sup>8</sup> *Ibid.*, p. 114.

<sup>9</sup> *Ibid.*, pp. 89-90, 93, 99.

<sup>10</sup> *Ibid.*, pp. 93-100.

<sup>11</sup> *Ibid.*, p. 103.

<sup>12</sup> *Ibid.*, pp. 100-101.

<sup>13</sup> Bomhoff, "State Support of Teacher Education," pp. 71-82.

<sup>14</sup> *Ibid.*, pp. 81-83, 152-53.

<sup>15</sup> Morse, *Neglected Period*, pp. 101-105.

<sup>16</sup> *Ibid.*, p. 105; Purcell, *Connecticut in Transition*, pp. 190-91.

<sup>17</sup> Morse, *Neglected Period*, p. 105.

<sup>18</sup> Bomhoff, "State Support of Teacher Education," pp. 22-24.

<sup>19</sup> Morse, *Neglected Period*, p. 106.

<sup>20</sup> *Ibid.*, p. 107.

<sup>21</sup> *Ibid.*, pp. 107-108.



- <sup>22</sup> *Ibid.*, pp. 108-109.
- <sup>23</sup> *Ibid.*, pp. 110-114.
- <sup>24</sup> *Ibid.*, pp. 114-16.
- <sup>25</sup> *Ibid.*, pp. 290-92.
- <sup>26</sup> *Ibid.*, p. 293.
- <sup>27</sup> Bomhoff, "State Support of Teacher Education," p. 22.
- <sup>28</sup> Morse, *Neglected Period*, pp. 293-94.
- <sup>29</sup> *Ibid.*, pp. 293-95.
- <sup>30</sup> *Ibid.*, pp. 295-304; Norton, "Governors of Connecticut," *Connecticut Magazine*, Vol. VII, pp. 302-304.
- <sup>31</sup> Morse, *Neglected Period*, 295-304.
- <sup>32</sup> *Ibid.*, pp. 291-92, 294-96, 298.
- <sup>33</sup> *Ibid.*, pp. 296, 298, 302.
- <sup>34</sup> Arthur M. Schlesinger, Jr., *The Age of Jackson* (Boston, 1946), p. 336.
- <sup>35</sup> *Ibid.*; Morse, *Neglected Period*, p. 297.
- <sup>36</sup> *Journal of the House of Representatives of the State of Connecticut, May Session, 1837.* (Hartford, 1837), June 6, 1837.
- <sup>37</sup> *The Public Statutes of the State of Connecticut*, 1838 ed. (Hartford, 1839), pp. 107-111.
- <sup>38</sup> Schlesinger, *Age of Jackson*, p. 337.
- <sup>39</sup> Morse, *Neglected Period*, pp. 295-300.
- <sup>40</sup> *Ibid.*, pp. 298, 300-301; Henry F. Walradt, *The Financial History of Connecticut, 1789-1861* (New Haven, 1912), pp. 76-97.
- <sup>41</sup> *House Journal*, June 1, June 9, 1837; *Public Statute Laws*, 1838 ed., pp. 402-403; Morse, *Neglected Period*, pp. 301-303.
- <sup>42</sup> *House Journal*, June 1, 9, 1837.
- <sup>43</sup> *Ibid.*, June 8, 1837.
- <sup>44</sup> *Ibid.*, June 7, 1837.
- <sup>45</sup> Francis Parsons, "A History of Banking in Connecticut," Tercentenary Commission of the State of Connecticut (New Haven, n. d.), p. 16.
- <sup>46</sup> *Public Statute Laws*, 1838 ed., pp. 92-98.
- <sup>47</sup> *Ibid.*; Schlesinger, *Age of Jackson*, p. 236.
- <sup>48</sup> *House Journal*, May 17, 1837.
- <sup>49</sup> *Ibid.*, May 22, 23, 24, 1837.
- <sup>50</sup> Morse, *Neglected Period*, pp. 303-304.

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## Chapter XIX

### The Ingenious Yankee

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THE CONNECTICUT ECONOMY was in a state of transition in the first half of the nineteenth century. While the populace in general held tenaciously to an agrarian way of life, enterprising individuals led a basis from which later developed a modern industrial state. The evolution of the factory system, the improvement of transportation facilities, and the expansion of credit facilities were interdependent. Although labor had not developed group consciousness, there was a nascent awareness of the social implications of industrial growth. These changes were of immeasurable significance to the development of Connecticut as a manufacturing state and were of contemporary importance to the Connecticut farmer.

Agriculture continued to be extensive and to be limited to subsistence farming, as there seemed little reason for a Connecticut farmer to produce much more than was required for his own household. The lack of markets persisted and roads and turnpikes were completely inadequate for transporting crops to market. The Yankee farmer was characteristically conservative. His disappointment with the productivity of Connecticut soils, instead of encouraging the introduction of new methods, stimulated migration to the west where virgin soil could be had in abundance.<sup>1</sup> The majority of the state's population, however, continued to be entirely engaged in agriculture and most of the remainder partially dependent upon it.<sup>2</sup> There were 38 towns in the state which could be classified as completely dependent on agriculture. Out of these towns, only Wethersfield, where onions were grown in quantity, produced a profitable marketable crop. There were 38 other towns where nonagricultural pursuits were very slight. Not until 1870 did



more than half of the residents live in towns with populations of 5,000 or more. The persistency of rural life had a marked effect upon the economic, as well as the political and social developments of the nineteenth century.<sup>3</sup>

The standard of comfort was limited to the production which could be scratched from the top of an exhausted soil with antiquated farm machinery. Men and women were clothed in fabrics spun and woven in their own houses from the wool grown on their own flocks and from the flax grown in their own fields. In winter, the farm laborer changed from a homespun linen shirt and tow cloth trousers to a woolen shirt and buckskin breeches. These everyday clothes were distinguished from Sabbath-day clothes by the variance in quality. Such homespun was the usual attire of the residents of the inland towns until near the middle of the nineteenth century.<sup>4</sup> The houses were built from timbers frequently taken from their own farms and erected with the assistance of a neighbor who had acquired a building skill in addition to his ability as a farmer. The small amount of hardware was usually supplied by the local blacksmith and the furniture made by a local cabinet maker or carpenter. The women contributed to the family furnishings by making sheets, blankets, quilts, comforters, mattresses, and pillows.

Farm implements, also, were made at home and there were few improvements in farm machinery in the first decades of the nineteenth century. The cast iron plow came into use in 1820, the potato digger in 1833, and the grain drill in the next decade. The more advanced machines, such as mowers and reapers, were not in general use until after 1850. The fact that, until 1830, when the wagon was introduced, the means of conveyance on the farm was the two-wheeled cart is somewhat indicative of the slowness in the development of agricultural tools. Two centuries of toil had not produced a staple crop to make agriculture commercially profitable.<sup>5</sup>

Attempts had been made to render agriculture commercially valuable by producing those staples necessary for the beginning textile, rope, and woolen industries. The slight yield of small grains had made them virtually valueless and late in the eighteenth century the state had encouraged the growing of hemp and flax. Although hemp never attained great importance, the land on which it was grown continued to





(Courtesy Conn. Devel. Comm.)

NEW HAVEN

be exempted from taxation as late as 1829. Flax was widely grown in the state in the first quarter of the century. Fairfield is credited with raising more than the whole of the remainder of New England. In the early part of the century, the use of flax exceeded that of either wool or cotton as a textile fiber, yet because of the labor and fertilization required, it never became firmly established as a commercial crop. Usually acreage was allocated to it on the self-sufficient farm to supply the tow cloth and linen to meet a single family's need.<sup>6</sup> A flock of twenty-five to thirty sheep had, also, become characteristic of the self-sufficient farm



by the beginning of the century, but no sustained effort had been made to improve the quality. The domestic needs and the attempts to establish wool manufactories indicated the desirability of improved production. When he retired in 1802, David Humphreys, who was Minister to Spain, imported a flock of pure bred Spanish Merinos for his farm in Derby. The knowledge of the importation spread slowly and, in any case, the merinos were too costly for the frugal Connecticut farmer. From the flock, a ram and two ewes were sold for \$300 in 1806 and a ram was sold two years later for \$1000. The native sheep supplied sufficient wool for domestic use. However, a demand for more wool of a better quality developed as the woollen industries grew and prompted the farmer to recognize the need for improved production. By 1840, there were more than 900,000 pounds of wool produced in the state.<sup>7</sup>

Although a staple crop had not been established during the first half of the nineteenth century, a basis had been laid for the later development of specialized agriculture. In spite of the rich grasses of the Connecticut and Naugatuck valleys and a market for salted beef, the cattle industry did not become a permanent Connecticut endeavor largely because of inattention to breeding and lack of fodder in winter. A cheese and butter industry, however, prospered in Windham county and was extended until by 1845 it is estimated that Windham, Fairfield, and Hartford counties produced as much as 3,000,000 pounds. By 1850, the number of milk cows had increased to 85,000.<sup>8</sup> The basis of the profitable tobacco industry, too, was laid early in Connecticut's history. Tobacco culture was introduced in Windsor. At the beginning of the century the crop was insignificant, yet by 1818 factories were established in Windsor and Suffield and a packing house was established fifteen years later. The broadleaf strain, which was particularly suited to cigar manufacturing was introduced from Maryland by B. P. Barbour of East Windsor in 1833 and the careful processing of the crop began in 1840. By the middle of the century tobacco growing had spread to the Housatonic Valley.<sup>9</sup> Wethersfield, where onions had been grown profitably for years, became a center for seed production. The first general seed business was begun there in 1820 by James L. Belden and later attracted others who founded seed businesses which gained national reputations.<sup>10</sup> On the other hand, practically no attention was paid to the improve-

ment of the production of apples for which it was later proved that Connecticut soils and climate were particularly fitted.<sup>11</sup>

The trend toward the production of commercial crops caused the growers to seek higher yields through the use of more scientific measures. Little was known about the use of fertilizers in the first years of the century and commercial preparations were not introduced until about 1850. However, Professors Silliman and Norton of Yale had begun experimentation in agricultural chemistry and schools and colleges were offering instruction in this field. In the main, the efforts of Silliman and Norton were not understood and real progress was delayed until the twentieth century, when the exact composition of the soils were understood.<sup>12</sup> The efforts of the three established colleges to give instruction in the field were supplemented by special schools such as the seminary founded in Derby in 1825 and the Cream Hill School in West Cornwall. At these, training in the sciences was combined with practical experience in tillage, stock raising, tree culture, and the preparation of composts. As important as the dissemination of knowledge, was the encouragement which these projects provided to the assumption by the state of a more active role in agricultural welfare.<sup>13</sup>

The promotion of agriculture had been left entirely to private individuals, societies, and organizations until the beginning of the fifth decade of the century. The first of a number of societies to promote agriculture was founded in Wallingford in 1794 and later incorporated as the Agricultural Society of New Haven. It failed to attract public interest, however, and was suspended from 1822 until 1838. After it was revived, the society urged the inclusion of a Professor of Agriculture at Yale. Societies such as this one disseminated information on agriculture, promoted experimentation with fertilizers, and broke the dreariness of farm life by providing opportunities for social gatherings. The most significant of their efforts proved to be the fairs and cattle shows which were held by the societies throughout the state. At these, luxury goods of foreign countries as well as the manufactured and agricultural products of the state were exhibited. The contests directed the attention of the farmers to the characteristics of the best species and toward their improvement. The fairs featured ploughing matches which tested both the skill of the farmers and the strength of the beasts pulling the plow.<sup>14</sup>



The work of the agricultural societies was supplemented by farmers' clubs. The major objectives of these were to make farm life more attractive by relieving the monotony of farm life and by providing opportunities for social exchanges. The difficulty in estimating the number of these clubs is matched by that of evaluating their significance. It is known, however, that they prevailed throughout the state and one would be guilty of an inexcusable lack of perspicacity to underestimate the importance of such groups in causing the state to extend aid to agriculture.<sup>15</sup>

The state gradually assumed responsibility for the advancement of agriculture between 1840 and 1850. Counties had been permitted to encourage the growing of specific crops, but the General Assembly looked askance at suggestions that the state make any direct appropriations. The request from agricultural societies that the state provide monies for the prizes at the fairs was refused until 1840. Then, the Assembly agreed to match funds provided by the county societies to the extent of from one to two hundred dollars. Other proposals for farm relief quickly followed. However, an agricultural survey of the state, which had been authorized in 1842, was discontinued two years later on the grounds that "public interest did not seem to be great enough to warrant undertaking the survey."<sup>16</sup> The establishment of a professorship at Yale was delayed, and suggestions to appoint lecturers to tour the state to disseminate information on agriculture were not implemented.<sup>17</sup>

In 1850, agriculture remained the way of life of a majority of Connecticut residents and had not been radically changed. Although the agricultural societies were not immediately successful in causing the state to assume an active role in regard to agriculture, they must be counted a factor in the plans made a few years later for a relatively extensive program of rural aid. It can hardly be said that a science of agriculture had come to exist, but the increase in the numbers who saw the commercial potentialities of agriculture promoted a degree of specialization which was to characterize the agrarian economy in the last half of the century. Agriculture, in Connecticut, however, had ceased to be the hope of the future. As commerce had attracted the adventurer and his capital in the post-revolutionary period, so manufacturing was beginning to attract this group.<sup>18</sup>

As Connecticut approached mid-century, handicrafts were yielding to a factory system. In 1818, the organizational form for production was relatively simple. As measured by the number of persons engaged in manufacture, Connecticut, by the middle of the century, could not properly be called a manufacturing state. Nevertheless, measured in terms of wealth-producing ability, there had been marked progress.<sup>19</sup>

The history of Connecticut manufacturing is interlined with the story of the day-to-day lives of the people as this was translated into the formal, yet imperfect, attempts to fabricate products into finished form. The ingenuity and skills born out of the necessities of living made for a versatility of abilities, a flexibility of interests, and a continuity of experience which was passed from generation to generation until they became the hallmarks of Connecticut industry. Practical knowledge of a number of trades, such as glass and clock making, and experience in the manufacturing of textiles and fire arms were of immeasurable value in the furthering of industry in the nineteenth century.<sup>20</sup> The iron mined at Salisbury was not of the quality of that which could be procured from Pennsylvania or from abroad, yet the mines survived the tribulations of the post-revolutionary period and continued to produce ore from which 2,000 to 2,500 tons of iron were produced annually until about 1840. The availability of iron enabled countless numbers of Connecticut workmen to acquire abilities in working with metals.<sup>21</sup>

Eli Whitney, at Mill Rock in Hamden, introduced methods and procedures which anticipated some of the basic techniques which were prerequisites for mass production. After Whitney had lost the fight for patent rights to the cotton gin and its invention had become financially valueless to him, the fear of war with France in 1798 enabled him to secure a contract for manufacturing 10,000 arms for the United States government. The exigencies of the situation required rapid production. The demand to supply cheaply and quickly a single item bought regularly and in great quantity prompted Whitney to utilize the system of uniformity in the production of arms.<sup>22</sup> In a letter to Oliver Wolcott, then the Secretary of Treasury, Whitney described graphically the tools he contemplated making as being "*similar to an engraving on copper plate from which may be taken a great number of impressions perceptibly alike.*"<sup>23</sup> Wolcott had great respect for Whitney



and had been of assistance to him in securing the contract. In order that the Secretary might understand fully, Whitney explained, "My general plan does not consist in one great complicated machine, wherever one small part being out of order or not answering to the purpose expected, the whole must stop & be considered useless. If the mode in which I propose to make one part of the musket should prove by experiment not to answer, it will in no way affect my mode of making any other part. *One of my primary objects is to form the tools so the tools themselves shall fashion the work and give to every part its just proportions—which when once accomplished, will give expedition, uniformity, and exactness to the whole.*"<sup>24</sup>

Whitney's efforts set the pattern of the future for the machine tool industry in the United States.<sup>25</sup> There is no exact record of the machines he invented. One which is credited to him and which played an important role in American industry was the milling machine.<sup>26</sup> Another invention credited to him was the filing jig which enabled the filer to shape work more accurately.<sup>27</sup> To credit him, however, with fathering the principle of interchangeable parts is to ignore the contributions of many English and French mechanics.<sup>28</sup> Neither can he be credited with training numbers of mechanics who applied his principles to other endeavors.<sup>29</sup> Whitney guarded his supply of laborers and took care that they remained in his employ.<sup>30</sup> Other arms manufacturers, such as Simeon North and R. and J. D. Johnson, all of Middletown, were credited with making arms which had a uniformity of parts and were of a superior quality.<sup>31</sup> The concept of interchangeable parts was a universal idea which was claiming the attention of machinists throughout the world. Whitney was acting independently, however, and Connecticut played an important, although not an exclusive role in the development of machine tools.

The principle of interchangeability which had been introduced was not well sustained until about the middle of the century. It must be remembered that uniformity then, as now, was a comparative term. In Whitney's time, a tolerance of one thirty second of an inch or more was allowed and it has been suggested that the uniformity secured in the first half of the nineteenth century was largely dependent upon filing.<sup>32</sup> However, the idea of quantity production had emerged. There

is some question as to the degree to which the system was applied even in the arms industry, as well as to how widely it was adopted in other industries.<sup>33</sup> The actual fabrication of goods in quantity awaited the introduction of steel dies and efficient machinery for making exact cuts.<sup>34</sup>

The incipient industry continued to require and to receive the assistance of both the Federal and state governments. The colonial practice of granting monopolies and subsidies was continued by the state in the nineteenth century. New factories were not only to be free of taxes for a stipulated period of time, but also their employees were to be exempt for a shorter period.<sup>35</sup> Contracts, with the Federal government, which called for liberal advances, were of material aid to the successes of the small arms industry. An indication of the degree of assistance is revealed in the fact that when Whitney's contract of \$134,000 was completed, only \$2400 was due him.<sup>36</sup> The importance of the tariff to Connecticut industry is indicated in the many references to the state which were made by Hamilton in his Report on Manufacturing and by the subsequent interest of Connecticut residents in the custom duties.<sup>37</sup> In addition to the usual defenses, the cry for protection was defended by the metal manufacturers, by pointing to their use of native ore.<sup>38</sup> It would appear that such assistance was a necessity.

The manufacturing establishments were primarily small shops, particularly in the inland towns and usually did not exceed the employment of ten workingmen. There were many of these. At the height of its prosperity, for example, nearly every family in Berlin was engaged in some form of production either in the house, in the shop, or in the front yard.<sup>39</sup> Because the limited commerce was further restricted by the wars of 1776 and 1812, it was necessary for the people of Connecticut to fashion their own tools. At first with these hand tools and later with horse and water power, the trades were followed intermittently to meet the limited demand. In many instances, shop work was carried on with farming throughout the nineteenth century. This enabled the proprietor, who worked side by side with his apprentices, to keep his labor employed and to balance the failure of one endeavor against the successes of the other.<sup>40</sup> As late as 1819, a correspondent for a New Haven paper wrote that those engaged in manufacturing could realize but small profit.<sup>41</sup>



The Connecticut Yankee, however, enhanced his opportunities for profit by coupling the skill of the craftsman with the benefits of advertising and the arts of salesmanship. These abilities were exemplified by the Yankee pedlar. He could be seen with a seventy pound pack on his back carrying tinware into the New England backcountry. When clocks, brassware, and textiles were added to his stock, wagons were especially constructed to carry the load. Traders to the southern states, such as Bronson Alcott, would frequently go by boat to a port such as Norfolk, and from there peddle their wares to the plantation owners and to the small farmers. The method of distribution was altered to meet the need. On occasion, as in New Haven, jobbers were used. Under this arrangement, some of the larger shops would establish branch shops in the larger cities such as Richmond and Montreal where transplanted Yankees would fabricate during the winter months materials forwarded from Connecticut. The following Spring, pedlars would set out from these points and from Connecticut, shuttling between the two points to sell their wares and to replenish their stocks at the end of the line.<sup>42</sup>

The pedlar was recognized as the most effective method of distributing many of Connecticut's products, particularly Yankee notions. An Act of 1765, which had required that anyone who wished to sell wares within Connecticut should be licensed by the county court, had been abandoned. There was, no doubt, some truth in Dwight's charge that the pedlar was a "mere wanderer, accustomed to no order, control, or worship, and directed solely to the acquisition of petty gains," but he had grown to play a vital part in the economic life of the state. Of necessity, the pedlar did not have a fixed price, and doubtlessly, as charged, some concerns profited more from his efforts than did others. Such complaints received only desultory attention in the General Assembly, and, in 1836, all restrictions against the pedlar were dropped.

As manufacturing developed and as trade names became important, manufacturers preferred to have their articles distributed through established retail concerns, and with the coming of the railroads, the pedlar was less important in the distribution of Connecticut goods. After five years of unregulated trade, the colonial system of registration was revived for those who wished to trade within the state. When for-

eign traders continued to flood the state, a non-resident pedlar was required by an 1848 act to secure a license, costing ten dollars, from the selectmen of each town in which he proposed to do business. Under this restrictive system, peddling within the state declined. The pedlar had left an indelible imprint on Connecticut's economic life, however.<sup>43</sup>

As sales expanded, the demand for greater production was met in part by the importation or duplication of British machinery. Samuel Slater laid the basis for the textile industry when he circumvented the English law prohibiting the exportation of blue prints. He committed these to memory, and, after coming to Rhode Island, constructed machinery for carding and spinning based on his knowledge of Arkwright's processes.<sup>44</sup> Reliance on English invention was by no means confined to the textile industry. Although it is impossible to measure the extent of this borrowing with exactitude, its effect is evident in practically every area of industrial development. Reliance on English machinery was well established by 1820. In that year, James Croft, an expert English workman, insisted that English tools be used in the brass company in Waterbury, which was then partially owned by James M. L. Scoville. After he became associated with the Benedict Company, Croft returned to England, where he purchased a set of rollers which enabled the company to roll its own brass and to provide sheet brass to other manufacturers. Later, more elaborate machinery was imported, including a wire drawer and a tube maker.<sup>45</sup> The Connecticut brass industry was dependent upon English machinery until 1840.<sup>46</sup> American inventive genius began to have its effect, and, by the middle of the nineteenth century, American-made machinery was in demand in Europe, particularly in the small arms industry.<sup>47</sup>

As important as the machinery itself were the workmen who immigrated. Some were especially induced to come, others simply chose to seek a new life in America. Their technical skill was a valuable supplement to the craftsmanship being acquired by the Connecticut laborer. These English workmen furnished much of the mechanical ingenuity necessary to the early success of the brass industry. Some, such as James Croft, acquired an interest in the factories. For the most part, however, the companies remained under the control and management of native Connecticut Yankees.<sup>48</sup>



There developed a close personal relationship among the pioneers in manufacturing in Connecticut. Interdependent industries, close business relationships, and close family connections were characteristic of the industrial development. The Thomas clock makers exemplify a family's devotion to a single industry, while the Lewis family of Naugatuck illustrates the cooperation of family members in a number of different enterprises. The Lewis family fortune was based in the eighteenth century on land and the export business. Milo Lewis, then, established a textile manufacturing establishment and, from the profits earned in it, expanded the family's holdings to include the manufacture of farm implements, a woolen mill, and two rubber companies. The father and one son were responsible for the farm, a second son for the cotton mill, and a third for the rubber business. The members of the family were bound not to undertake any new enterprise without submitting the proposal to the other members of the family for approval.<sup>49</sup> There were close business associations among those engaged in such technical areas as the manufacture of small arms and the spirit of cooperation and mutual help continued as long as the government continued to extend aid.<sup>50</sup> In addition there was a tendency to associate interdependent industries in one neighborhood in order to make full use of the labor potential in families only partially occupied in a single pursuit and to utilize the waste of one industry in the processing of a product of another.<sup>51</sup>

Capital for the establishment of industries only gradually became available during the first half of the nineteenth century. The short-term loans, generally available for commercial undertakings at the beginning of the century, were of little assistance to projected industrial undertakings where the "tooling up" required an extended period of time.<sup>52</sup> This prompted Whitney to seek and to secure advances from the Federal government for the establishment of his arms factory. When such advances were made, a performance bond was required of the contractor, with sureties of several individuals, who, collectively, would be worth at least the amount of the bond.<sup>53</sup> Such Federal assistance gave the early arms makers a distinct advantage over others attempting to establish industries. It is recorded that the arms maker, Nathan Starr, was using the banking facilities of Middletown as early as 1819, but the

nature of his transactions is not clear.<sup>54</sup> In general, it appears that the banks were long reluctant to make loans for manufacturing purposes. An indication of an increasing willingness to invest in manufacturing is indicated through the increased amount of stock issued by chartered companies. Before 1818, companies with a capitalization of more than \$100,000 were rare. After that date, many were capitalized for from \$300,000 to \$500,000, and, by the middle of the century, at least two of the companies in the state were capitalized for more than \$1,000,000.<sup>55</sup>

Connecticut industry further benefited from the introduction of steam power. Connecticut rivers and streams, dotted with natural and improvised waterfalls, furnished the major source of power during the eighteenth and early nineteenth century for the grist mills and such early industries as Whitney's arms factory. As early as 1824, attention was given to the introduction of steam in the arms industry, but little headway was made in its use before 1830, partially because of the lack of knowledge of the use of steam on the part of the mechanics.<sup>56</sup> The introduction of steam power was of primary importance in transferring the making of cloth from the home to the factory. A power loom is said to have been erected in Connecticut as early as 1820. In the early stages, power was used in the textile industry only for the making of the plainer cloths.<sup>57</sup> It was in this industry that the early experience in the use of steam was gained. George T. Newhall, who had observed its use in the textile industry in Rhode Island, introduced it into the carriage industry before the middle of the century.<sup>58</sup>

The transition from an agricultural to a manufacturing state had been all but accomplished in Connecticut by the middle of the nineteenth century. Of the 114 enterprises listed in the returns of the assessors in 1845, the products of only 28 can be identified as derived from the soil and 86 were manufacturers. Grace Fuller, in her study of Connecticut as a manufacturing state, cites the number of persons engaged in manufacturing as evidence that Connecticut "was not yet a manufacturing state."<sup>59</sup> Because of the number of laborers engaged in more than one trade and the number of farmers who engaged in manufacturing as a sideline, Miss Fuller, quite properly, reduced the number of "hands employed" from the 54,807, or approximately 16 per cent of the population, reported by the assessors, to not more than twenty or thirty



thousand. It would seem, however, that there is a more accurate gauge of the degree to which Connecticut had moved toward manufacturing than either the number so employed or the number of factories, which, as Miss Fuller correctly implies, would include undertakings of almost every extent and description. The total industrial production, as reported, was valued at \$48,874,304. Of this, agricultural products were valued at \$14,492,590. Mining and fishing combined accounted for another two and one half million. Manufactured products, then, in the year previous to October, 1845, accounted for approximately two-thirds of the state's industrial production. By 1845, manufacturing had become the profit producing enterprise. Of equal importance is the fact that the products introduced and the factories begun in the period before 1845 were the ones on which the state was to build her industrial empire.<sup>60</sup>

Although there was a shifting of fortune in Connecticut products, textiles continued to be the strength of her manufacturing. The combined value of the textile and related materials produced in 1845 exceeded \$8,000,000 or approximately 25 per cent of the products manufactured.<sup>61</sup> Wool and cotton were the leaders among the textiles, with cotton manufacturing concentrated<sup>62</sup> in Windham and New London counties and with wool manufacturing more or less equally shared with these and Tolland and Litchfield counties. Related industries, such as calico printing, hosiery, and yarn, were concentrated in Hartford County. The silk culture, which attracted capital in the first part of the century, had been rendered valueless as a result of blight and over-speculation, but enterprising Yankees, such as the Cheney brothers, had begun the production of sewing silk, which, by 1845, attracted a total capital investment of more than \$100,000 in Hartford and Tolland counties.<sup>63</sup> Linen products, however, were reported as less than \$500 in value in 1845. Clock making, foremost among Connecticut pioneer manufactures, also continued to produce timepieces valued at three quarters of a million dollars.<sup>64</sup> On the other hand, the value of glass products, as of linen, shrank to a point of insignificance. The value of the glass articles produced hardly exceeded the amount of the capital invested, and this had shrunk to \$10,000.<sup>65</sup>

The manufacturing field in which Connecticut was to attain na-

tional leadership, that of general hardware, had grown steadily. In 1845, its total product was valued at almost \$2,000,000.<sup>66</sup> In the case of certain products, such as screws and hinges, a large gross product was produced with a comparatively small capital outlay. Hardware products, too, had benefited immeasurably from the distribution and advertisement by the pedlars.<sup>67</sup> Hollow ware had been sold in regions far and near and its gross production of a half million dollars exceeded the gross value of nails which had been among the earliest products fabricated in the state. North and Judd, Russell-Erwin, P & F Corbin, Stanley, and Landers, Frary, and Clark, names which were to gain for New Britain the appellation of "The Hardware City," were all names of companies founded before the Civil War.<sup>68</sup> New Haven vied with Hartford County in the production of hardware.<sup>69</sup> Brass production, which was closely related to the hardware industry, became concentrated in Waterbury, with the names of Hayden & Scovill, Benedict and Burnham, and Brown and Elton becoming famous in this industry.<sup>70</sup>

In addition, there were special manufactures which contributed significantly to Connecticut's total gross product, and others whose significance lay in the fact of their establishment rather than in the quantity of their early production.

The hat industry was concentrated in Danbury where the Malloy's, in 1823, began this manufacture. The gross production of hats, caps, and related articles was valued at more than \$900,000 with more than 75 per cent of the production concentrated in Fairfield County.<sup>71</sup> In New Haven, the coach and carriage manufacture, under the guidance of James Brewster, had reached a production of almost three quarters of a million dollars by 1845.<sup>72</sup> Although the firearms industry made contributions which became significant in Connecticut's later manufacturing development, the 4,000 rifles and the 14,000 pistols produced before 1845 were valued at only \$155,000. The Connecticut arms makers, Eli Whitney, Simeon North, Nathan Starr, Samuel Sharps and Samuel Colt, were American, as well as Connecticut, pioneers in this field of endeavor.<sup>73</sup> Meriden and Wallingford became a center of silversmithing because of the early activities of Charles Yale, who introduced the manufacture of Britannia Ware for his southern trade. In 1850, his large factory in Wallingford was combined with the interests



of other makers of Britannia Ware to form the International Silver Company. William Rogers introduced silver plating in 1847.<sup>74</sup> At about the same time, 1839-1843, Charles Goodyear was perfecting his process for vulcanizing rubber.<sup>75</sup> Goodyear's patent was made available to the Goodyear Metallic Rubber Shoe Company of Naugatuck and to the L.



(Courtesy Conn. State Lib.)

EAST HADDAM—SHAD FISHING, CONNECTICUT RIVER

Candee & Company of New Haven. The latter was the forerunner to the United States Rubber Company. The manufacture of rubber was firmly established by the middle of the century, and its production subsequently became significant in quantity. By 1850, most of the goods produced in the state was to some degree prepared by the factory process.<sup>76</sup>

The maritime industries were concentrated, quite naturally, along the Sound and the Connecticut River. It was reported that 37 vessels and 453 boats were built in 1845. Their construction was confined almost exclusively to New Haven and Middlesex counties and was limited to small craft.





*(Courtesy Conn. State Lib.)*

STONINGTON—FISHING SCENE

The average value of the vessels built was less than \$10,000 and that of the boats about fifty. New London was the center of the fishing industry, with whaling and associated industries based there. The Connecticut River shad industry was valued at more than \$100,000 a year.

Despite the rise of industry, Connecticut labor in the early nineteenth century did not emerge as a class conscious group. The ten per cent of the population which the laborers constituted was hardly large enough for effective action. The reforms introduced, such as the aboli-



tion of imprisonment for debt and of the mechanics' lien laws, were programs of the major political parties rather than of special labor groups. There were groups which advocated labor legislation, but the interests of labor were not considered to be separate or different from those of other members of society.<sup>77</sup>

Connecticut, however, was not free of labor disturbances during this period. The shops of the Thompsonville carpet works were closed in July, 1833, when seventy-one workers requested that their rate of pay be increased to compare to that paid at other mills in the Northeast. The employees demanded that they be returned to work and that their wages be made retroactive to the last regular pay day. The company issued an ultimatum declaring that if the workers did not return to work by the following Monday, their wages would be reduced. When the workers refused, the company brought suit, charging the laborers with conspiring to damage the prosperity of the company. The court refused to consider the issue of wages, but ruled that the alleged conspiracy did not exist.<sup>78</sup> The company had won its contest with the workers long before the decision was rendered. When the company began hiring new workers, the strikers sought to dissuade them from working. This failed, and, under the threat of eviction from company owned houses, the workers returned to work within a month. Connecticut labor in this period, in common with labor throughout the country, lacked the clear cut objectives, the capital, and the energetic leadership necessary for effective action.

A nascent awareness of the social implications of industrial growth developed gradually. Manufacturing was altering the characteristics of Connecticut communities. Young men and women were leaving their rural surroundings for the crowded living quarters, which offered limited accommodation for health and comfort. Sons and daughters of Yankee stock were mixing with transient laborers, many of whom were immigrants who had only recently been permitted to hold property in the state. Concern was voiced as to the responsibility of corporations to provide homes for workers and schools for children, and to care for the moral and health welfare of the workers. The General Assembly was not disposed to pass regulatory legislation except to require that manufacturers supply schools for child laborers. Many factory owners as-



sumed a personal responsibility for their employees' welfare. Benevolence, in some instances, no doubt, was confined to that which would avoid public censure.<sup>79</sup>

Further development in the economy of the state was dependent



(Courtesy Mills Coll., Conn. State Lib.)

HARTFORD-ALBANY TURNPIKE POSTER (A COPY)

upon development of the transportation facilities. The steamboat had enabled an effective ferrying system to New York. The Farmington Canal, designed to improve the water transportation of the whole of the Connecticut Valley, had never realized the success which had been anticipated. The benefits to be derived from attention to water transportation were necessarily limited: only the turnpikes tapped the inland towns of the state. While these had been greatly improved and provided connecting links in the overland system, they had been designed primarily to meet the needs of an agrarian economy. A mode of transporta-



tion was needed which would approximate the tonnage carried by boat, yet would not be restricted by the accessibility of water.

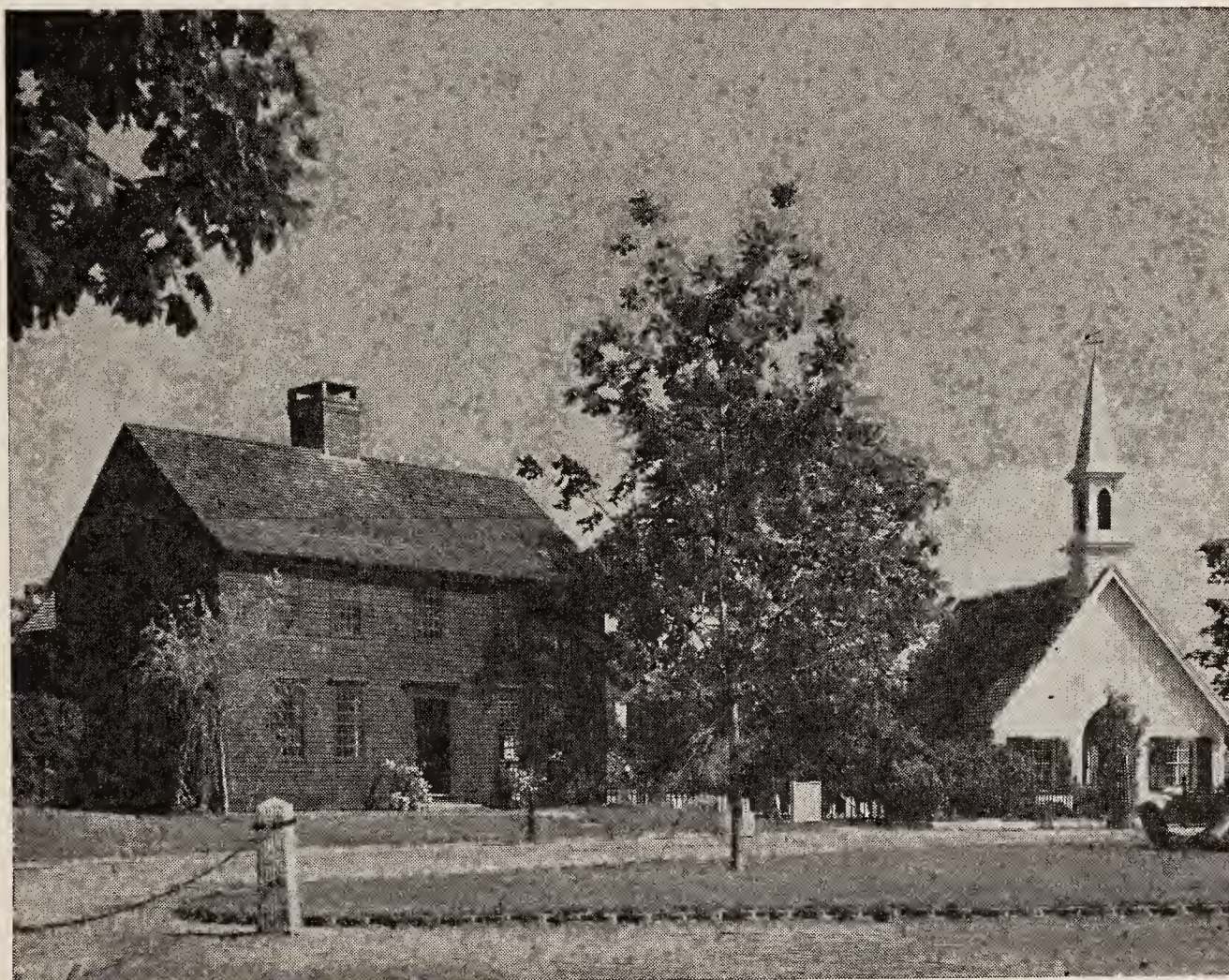
Improvements in transportation, necessary to the development of Connecticut's economy, were supplied as soon as technical advances permitted. Although the introduction of new methods did not revolutionize the state's economy, they provided a basis for alterations, particularly in the latter half of the century. The period before the Civil War was an era of experimentation. As steam became the primary motive power, the canal, which had been designed to supplement the turnpike, was replaced by the railroad, and the sailing vessel was replaced by the steamboat.

The turnpike continued to grow until it reached its height in 1840. New companies were chartered every year from 1792 until available capital was attracted to the railroad as a more desirable investment. During the fifty years, turnpikes were built to provide a network of accessible, well-maintained, and gently sloping roads which connected the commercial and budding industrial centers of the state. The state continued to encourage the construction of such roads, but never offered outright assistance. The public interest was protected through commissioners, who were to make certain that the turnpike companies operated in accordance with their charters.<sup>80</sup> Despite their popularity, the turnpikes failed to meet the transportation requirements for carrying goods in quantity or of heavy tonnage. The Salisbury Mine operators found, for example, that it cost five dollars more per ton to transport iron forty to fifty miles overland than to carry it the 150 miles to New York by water, even though this included a twenty-mile trip to the Hudson.<sup>81</sup>

The introduction of the steamboat in 1815 did not become of general importance to the state until after 1824, when the Supreme Court broke the monopoly of New York interests operating steam vessels on Long Island Sound. The *Fulton* appeared at New Haven in March, 1815, and established service between there and New London. Another vessel, the *Connecticut*, was added to make the run from New Haven to New York. Since the New York legislature had given to Robert Fulton the exclusive right to navigate the sound, Connecticut companies were not only prevented from establishing competitive facilities,



but also the sail packet lines were seriously threatened. The Connecticut Assembly was induced to retaliate by prohibiting any vessel of the Fulton concern to enter the waters of the state. Steam travel between New York and New Haven was discontinued on June 1, 1822, and the



(Courtesy of the Marine Historical Association, Mystic)

MYSTIC SEAPORT—SAMUEL BUCKINGHAM HOUSE

*Fulton* and the *Connecticut* confined their service to the Connecticut shoreline. In the *Gibbon vs. Ogden* Case, in 1824, the Supreme Court reversed the Court of Errors of New York and declared the Act of the New York Legislature to be void. Immediately, the use of the steamboat expanded.<sup>82</sup>

Regular routes were soon established from New Haven, Hartford, and other Connecticut ports. The first boat to run between Hartford and New York was the *Oliver Ellsworth*. Others, added later, were the



*McDonough*, the *Charter Oak*, and the *Bunker Hill*. One, the *Water Witch* indicated a nautical interest rather than ancestral leanings. The *Ellsworth* was a vessel of 227 tons and carried 60 passengers per trip. The passenger traffic must have been heavy, yet the report that three vessels carried 2,000 passengers a week seems an exaggeration. The steamboats faced the problems of rapids, sandbars, inadequate locks, and insufficient draft. Regular service was provided, however, between Hartford and Springfield as well as from Hartford to New York. Passenger service was discontinued after the coming of the railroads, but the freight business continued to thrive for a number of years.<sup>83</sup>

Responsibility to broaden and deepen the river channel was vested in the river transportation companies along with their privileges. The Union Company, for example, which had been founded in 1800, was obligated by the terms of its charter to provide a channel six feet deep between Hartford and Middletown. Shipmasters became accustomed to the artificial channel and forgot the original investment of the Union Company in achieving it. By 1830, the exaction of tolls by the company was protested, and the legislature was urged to curb the company's privileges. The petitioners for free navigation of the river complained that the charter was private legislation which vested the company with unreasonable privileges. A legislative committee investigated the company's operations in 1836, but restrictive legislation did not result. However, the next year, the legislature authorized the issuance of a writ of *Quo Warranto* to the company, forcing it to show why its charter should not be vacated and its collection of tolls stopped. The company proved that it had not exceeded its charter rights and that its charges were not unreasonable. Economic, not legal obstacles, caused the death of the company. Turnpikes had cut into the profits which the company had expected from its tolls, but its ultimate fate was determined by the railroad. As these were built the Union Company passed quietly out of existence. Similarly, the Connecticut River Company was authorized in 1824 to clear the river from Hartford northward. This company was permitted to add banking to its dredging activities when the Farmington Canal threatened to absorb the traffic in northern Connecticut.

Interest in the construction of canals in Connecticut centered in



New Haven and was evident in each of the towns located along the proposed route of the canal. A water route into upper Connecticut, would not only attract the trade of that region, but would also provide the



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FARMINGTON—THREE OF PIERS WHERE FARMINGTON CANAL CROSSED  
THE FARMINGTON RIVER. THE FLOOD OF AUGUST 19,  
1955, TOOK DOWN TWO OF THEM

potential lever to enable New Haven to compete with Hartford. Representatives of seventeen towns met in Farmington on January 22, 1822, to prepare a petition to the General Assembly requesting permission to construct a canal from New Haven to Southwick.<sup>84</sup> The charter was granted by the Connecticut Assembly the following May, but action was delayed until the Massachusetts Company secured its charter in February, 1823, for the construction of the northern portion of the proposed canal. Subscription to the Connecticut Company was opened in mid-



July and the company was formally organized by the end of the month. Benjamin Wright, who had been Chief Engineer of the Erie Canal and who had made the initial survey of the route of the Farmington canal, was retained to prepare estimates of the cost of the road. The construction cost, not including land damages, from New Haven to Massachusetts was estimated at \$420,696, with an additional \$101,773 for the sixteen and one-half miles long cut-off which was to extend from Farmington to Colebrook, Connecticut.<sup>85</sup>

The project was in financial difficulty almost from the start. The state granted its customary tax exemption, and there was an initial flurry of subscriptions. As this subsided, funds came in very slowly. In May, 1824, the Directors applied to the legislature for the privilege of incorporating the Mechanics Bank, with a capital of \$500,000. Of this, \$100,000 was to be subscribed to the stock of the canal company as soon as it had attained a subscription of \$400,000 and had expended \$50,000 for construction. It was provided, in addition, that another \$100,000 was to be made available if the directors of the canal judged it to be necessary. In May, 1825, the company called for the payment of the first installment of \$12.50 on the subscribed stock. When the first contract was signed in August, 1825, a request was made for the payment of the second installment. Many could not meet this second request. By July 1827, when the canal had been completed from Massachusetts to Simsbury, all but \$40,000 of the \$200,000 maximum which the Mechanics Bank was permitted to subscribe to the project had been used. Also, a ninth installment on the stock had been requested. By 1828, the company was deeply in debt. The following year, however, New Haven subscribed to \$100,000 of new stock to clean up this indebtedness, and the company viewed 1830 with optimism even though expenses had been greater than had been anticipated. As conditions worsened in fact, the construction of the Farmington-New Hartford cut-off was postponed, and an extension of time for its completion was obtained from the legislature. Because of the delays derived from the stringent financial circumstances, reconstruction and repair had to be begun before the canal was completed.<sup>86</sup>

The defects in construction were everywhere visible. The skimping on the fills and floodways resulted in washout after washout. Freshets

were a continual menace. In June, 1828, when water was turned on in Cheshire, it was discovered that the sandy soil absorbed the water to a degree that none reached New Haven until the leaky section had been puddled with clay. As an economy, the earlier locks had been constructed with dry masonry walls and a timber lining. The timbers soon rotted and had to be replaced with masonry laid in cement secured from the new cement mills in Southington. The failure of the company to pay the damages assessed against it resulted in ill feeling on the part of those whose properties had been condemned, and it was charged that they perpetrated many revengeful, malicious acts, such as cutting the fill in several places and setting adrift a floating bridge which spanned a pond crossed by the canal.<sup>87</sup>

Despite the difficulties, the canal eventually was in use: the Connecticut portion of the project was completed in October, 1828. Immediately, businesses began to advertise their accessibility to the canal, and, by 1830, the canal had become an important factor in the business activities of the region. By 1835, the canal was open from New Haven to Northampton. At the height of the traffic, the collector at New Haven reported that 106 boats cleared to go up the canal carrying almost four million pounds of merchandise. Just at the time that it seemed that the canal might prosper, it faced financial ruin because of maintenance expenses and new competition. The necessary financial reorganization resulted in the formation of a new company called the New Haven and Northampton, which issued stock in the amount of \$300,000, and, in an attempt to attract the small investor, offered the stock at \$25 a share. The reorganization had little effect in offsetting difficulties. In the four years 1836-1840, the company expended \$181,000 and collected \$39,000 in receipts. The impossibility of continuing operations was made obvious by the coming of the railroad.

The effectiveness of rail transportation had been proved before consent was secured for the construction of railroads in Connecticut. When the first rail route in the state was opened for travel, there were already two thousand miles of track in use along the Atlantic seaboard.<sup>88</sup> Those interested in turnpikes and canals were justly concerned with the effect of the railroad on their investment. It was said that the construction of the New Haven and Hartford railroad would completely destroy



four turnpike companies and great concern was expressed for the widows and orphans who were dependent upon these companies. Local jealousies were coupled with the vested interests. Hartford was not convinced that a road to New York would be of benefit and feared that their business would be diverted to New Haven. Interest motivations were sometimes obscured by expression of such idyllic sentiments as that the railroad would destroy the existent relationships between country and town. The citizens of Newington begged that their quiet not be interrupted by steam cars and the influx of strangers. The proponents of the railroad cited experiences in England in support of the contention that the railroad would entrain a great expansion of wealth, jobs, and benefits to the back country. The first legislation authorizing the construction of railroads was permissive and regulatory.<sup>89</sup>

The lack of capital was a burden for the early railroad builders. In general, stock was subscribed to and paid for in installments as the money was needed. If the subscriber defaulted, the stock could be sold at public auction, with the subscriber receiving a pro rata credit for his equity. Private loans and appeals to the legislature for assistance were resorted to frequently, but the Connecticut General Assembly was not swayed by the practice of other states and consistently refused to render any assistance except the customary abatement of taxes until the roads paid dividends of six or, occasionally, of ten percent. Some cities subscribed to stock in the proposed railroad and gave the company city bonds to be paid for in installments as the work progressed. Frequently, early enthusiasm waned as in the case of Bridgeport, which was determined that the southern terminus of the Housatonic would be located in their city. Bridgeport subscribed to stocks in the amount of \$50,000 and gave the company another \$150,000 in city bonds. At the time of the panic of 1837, the tax was considered burdensome. To avoid the tax, some moved from the city amidst popular demands to repudiate the pledge. The courts held the contract valid and the city was forced to pay.<sup>90</sup> The lack of capital was reflected not only in the construction of new roads, but also in the tardiness with which technical advances were adopted.

The earliest roads were necessarily of minimal construction. The grading was occasionally done for two tracks, but all roads were initially



built as single track roads with track rails of flat wrought iron bars secured to the top of wooden timbers. When finances permitted, bridges of stone arches were provided, but more frequently streams were



*(Courtesy Conn. State Lib.)*

NEW HARTFORD—GORGE AT SATAN'S KINGDOM, 1902.  
TWO RAILROAD LINES CAME THROUGH HERE, BUT BOTH ARE NOW GONE

spanned with wooden trusses. Smoke stacks were especially equipped with screens to catch the sparks from the wood-stoked boilers. The American type locomotive was to be recognized wending its way through the Connecticut valleys by the four wheeled guiding truck and the two driving wheels. In the forties, a bell and a cow catcher were added, and, in the next decade, a headlight was provided. The early cars were essentially stage coach bodies mounted upon flanged wheels, and



safety devices, such as couplings and brakes, were quite primitive. Until well after the Civil War, the trains were stopped by the brakeman upon a signal for brakes. Although appointments remained extremely modest, the Norwich and Worcester Road in 1840 advertised ladies' apartments which were carpeted and which contained "wide and convenient sofas, dressing table, washstand, and other arrangements for the comfort of passengers."<sup>91</sup>

The basis for Connecticut's railroad systems had been achieved by the American Civil War. Although the consolidation of these various lines for the most part occurred during the latter part of the century, the component parts of the New York and New England, the Shore Line, and the New York, New Haven, and Hartford were completed by 1859. The first signs of a system emerged with the completion of the New York and New Haven line in 1848. A group of New York and Connecticut financiers had become interested in the line. A charter for the road in Connecticut was readily secured in 1844, but the request was held up in the New York legislature through the efforts of the New York and Harlem Railroad and the Westchester turnpike. This opposition exacted heavy damages before the objections were withdrawn. The expenses of construction apparently exceeded the estimates. To mitigate this, shortcuts were adopted which made reconstruction almost immediate and increased the financial difficulties.<sup>92</sup> When the road was completed, connections were made with three roads running inland from the Sound and with a fourth which was nearing completion.<sup>93</sup> These lines extended south to north from the Sound to Massachusetts.

The Housatonic was designed to serve the iron mines of Salisbury, the forges of Litchfield County, and the marble and granite quarries and the lime business along its route. This road was completed from Bridgeport to New Milford in 1840, and to Stockbridge, Massachusetts, in 1842. The Naugatuck, extending from Devon on the New York and New Haven line through the industrially rich Naugatuck Valley and through Waterbury to Winsted, was completed in 1849. The first of the railroads to be operated solely within Connecticut was the Hartford and New Haven, which reached Meriden in December, 1838, Hartford in 1839, and Springfield at the state border in 1844. The success of the railroads resulted in the demise of the never very flourishing

Farmington Canal. The Directors, hoping to protect their remaining assets, bought up New York stock, secured a charter from the Connecticut legislature, and went into the railroad business. Amid the plaudits of Yale's faculty and student body and the congratulations of the press, this road was opened from New Haven to Plainville in 1848. An immediate objective was connection with Springfield, and then extension to Pittsfield and Northampton. Potentially, there were connections at Pittsfield with Canada and the West. The company's finances, however, were exhausted when the first section of the road was completed, and the road was leased immediately for a period of twenty years to the New York and New Haven line for about \$40,000 a year, with a provision that the road was to be completed either to Springfield or Northampton.<sup>94</sup> This lease placed the New York and New Haven line in direct competition with the New Haven and Hartford company and touched off one of the early fights for the control of traffic.

Although working arrangements were established, the two railroads were seldom at peace with each other in the next two decades. The Hartford and New Haven had little choice other than to compromise with its competitor. If the New York line were extended to Springfield, it would rob the Hartford line of the through business to New York. The Hartford and New Haven line, on the other hand, was interested in protecting its lucrative traffic by boat from New Haven to New York. This line, then, agreed to run all its trains, except the boat train, to the New York and New Haven stations, to discontinue its "Day Line" by boat, and to charge not more than fifty cents less for the trip by night boat than by train. In return, New York and New Haven gave station accommodations and track rights and agreed to pay \$10,000 a year for five years to both the Hartford-New Haven line and the Connecticut River Steamboat Company. The New York-New Haven line continued to press the Hartford-New Haven line until the former virtually controlled the traffic of the area. The road, however, was on an unsound financial basis. Apparently it never made money out of its earnings, but rather on construction. In fact, the road never really earned the dividends it paid and in one quarter, it was charged, never anything over its expenses and interest. This obvious mismanagement was possible as a result of the fraudulent issue of stock by the road's



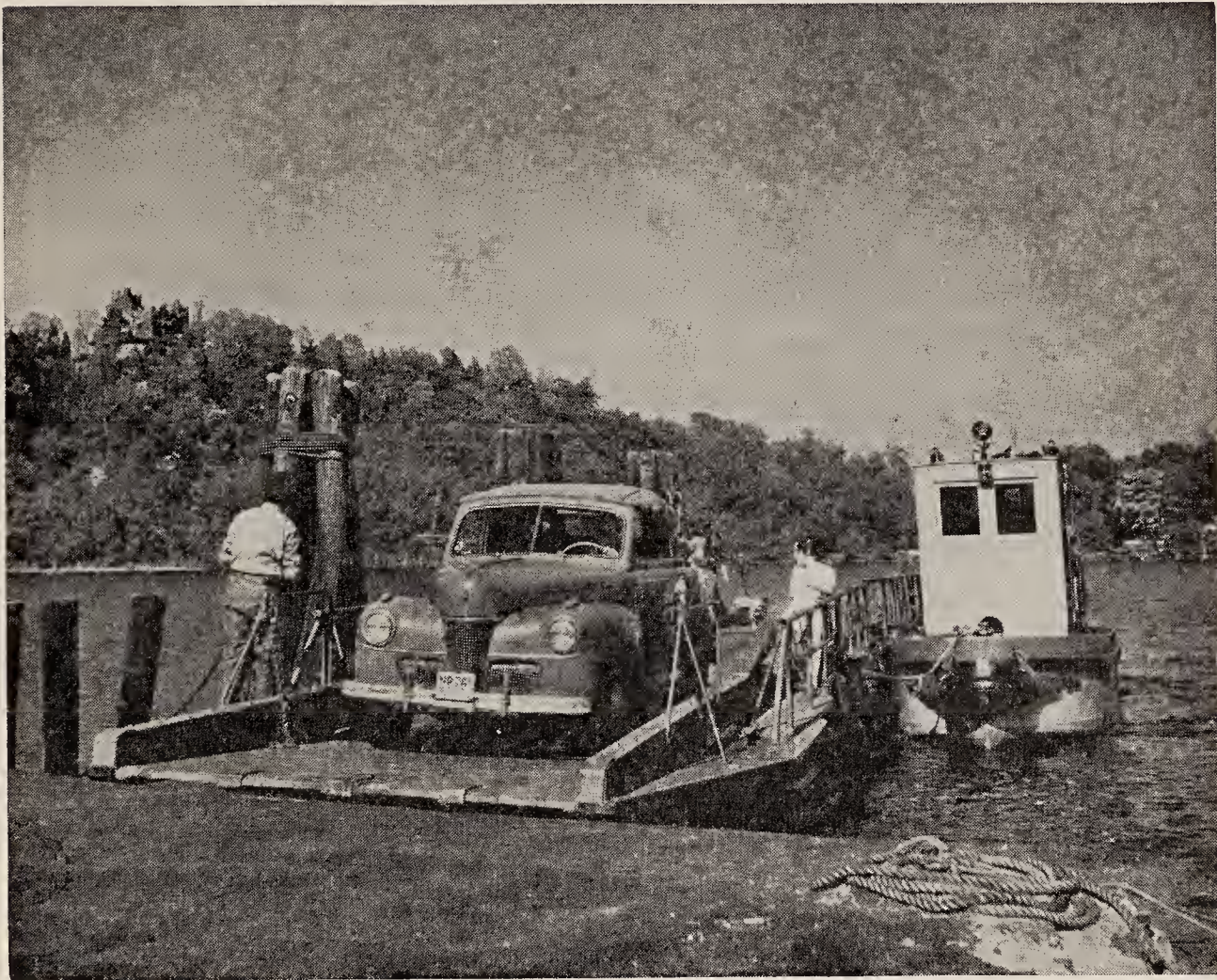
President, Robert Schuyler. When his operations were finally discovered, he fled the country in dishonor, leaving his company two million dollars' indebtedness and the distrust and dislike of the Hartford-New Haven company. The departure of Schuyler did not end the aggressive tactics of the New York-New Haven company. By the end of the decade, the Hartford and New Haven was disenchanted and brought suit to recover the money it had given to the New York and New Haven under its contracts. By the time a decision was reached after the Civil War, the process of consolidation was about to begin.<sup>95</sup>

Supplementary lines, extending from east to west, which later were to be incorporated into the New York-New England system, were established concurrently with the development of the north-south lines. The first section of the Hartford, Providence, and Fishkill road, as the road was first known, was completed between Hartford and Willimantic in 1849 and from Hartford to Bristol in 1850. The eastern end of the road was extended to Providence in 1854 and the western end to Waterbury in 1855. The road was not extended to the New York line until 1881, but inasmuch as it intersected the Hartford and New Haven, the New York and New Haven, and the Naugatuck, the road provided the route to New York City. When the road was completed, the Norwich and Wooster road had been in operation since 1840. The New London, Willimantic, and Palmer, although it never became a part of the New England system, provided additional facilities in the eastern part of the state. It had been in operation since 1850 when the shore road was finally completed.<sup>96</sup>

The shore line, with the aid of ferries across the Connecticut and the Thames River, was completed by 1858. A line was completed from New Haven to New London in 1852 and from Groton to Stonington in 1858 where it joined the pioneer in railroad construction in Connecticut, the Providence and Stonington, which had been opened in 1837. The construction of the road had been delayed because of the difficulties of crossing the river. The optimistic reports of the state legislature apparently could not convince the public of the convenience of the facilities, because the road soon passed into the hands of the receivers. After the road was reorganized under the name of the Shore Line, it was leased to the New York and New Haven company.<sup>97</sup> By the beginning



of the American Civil War there were six roads extending from the Sound inland towards Massachusetts, four of which extended from the Sound to the border. In addition, it was possible to travel directly from Providence to New York by utilizing the combined facilities of



*(Courtesy Conn. State Lib.)*

CHESTER FERRY

the Shore Line and the New York and New Haven. An additional connecting link was provided between the north-south roads by the Hartford, Providence, and Fishkill roads.

Despite the comparatively extensive network of railroads, immediately they had only a comparatively slight effect on Connecticut life. The cost of construction was such that profits were seldom returned before a line had been in operation at least ten years. Only three companies had been able to pay dividends by 1855, and it might be doubted

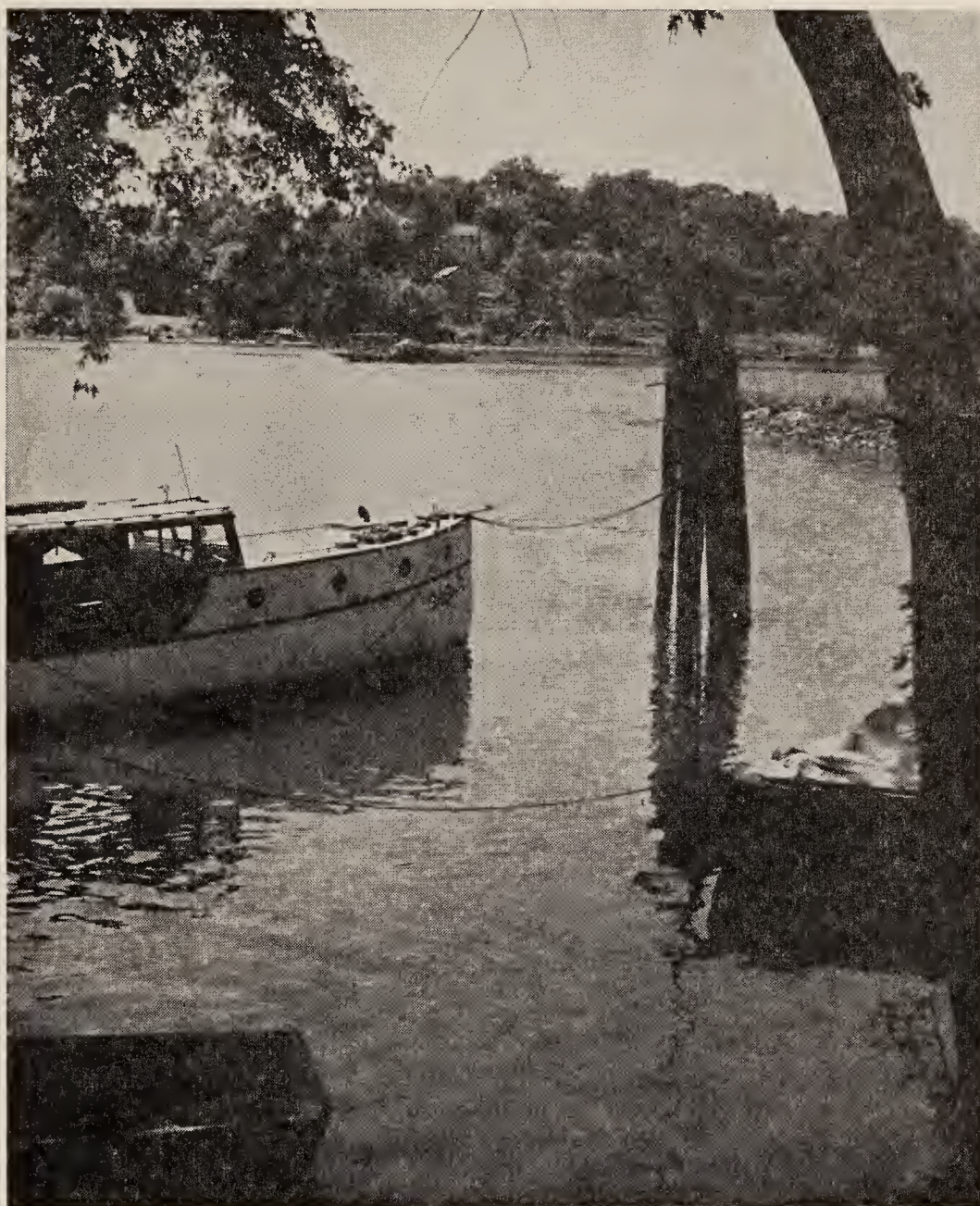


if these were paid out of earnings any more than was true of the New York-New Haven Road. Generally, the roads were routed through already established towns. Therefore, they did not open commercial opportunities to new towns. There remained large numbers of towns which were not served by rail transportation. The disparity between the isolated agricultural towns and those with access to market routes became more pronounced. In some areas, as in Winchester, the railroads stimulated an improvement of public highways. The extension of the railroads was accompanied by the rise of industrialism, but the significance of this was to be measured in the latter part of the nineteenth century.<sup>98</sup>

The industrial growth within the state and the expansion of internal improvements created a demand for additional credit facilities. The number of commercial banks in the state grew from ten to forty-three in the period from 1818 to 1853 and they had a capital stock of more than ten million dollars. In addition, there were fifteen savings banks and five insurance companies.<sup>99</sup> Connecticut weathered the panic of 1819 comparatively well, due, in part, perhaps, to the stability and the fluidity derived from the willingness of the Suffolk Bank of Boston to redeem the notes of country banks, including those in Connecticut, provided they would keep \$5,000 and later \$2,000 on deposit with the Massachusetts bank.

The commercial banks were supplemented by the establishment of savings banks intended primarily for the benefit of the wage earner. The commercial banks at this time had few depositors and made their profits primarily from their own capital and from the discount business. The capitalist of the time measured his wealth more in terms of tangible possessions than in securities or in money. An employee class was emerging, however, which was being paid in money rather than in goods. The Society for Savings was organized in Hartford in June, 1819. The expansion of the bank was steady, but not rapid. In 1824, its deposits amounted to \$72,000. It was provided that when an account reached one hundred dollars the bank could require the depositor to accept his withdrawal in bank stocks or in cash at the bank's option. Withdrawals were only permitted quarterly and then only with due notice. Savings banks in Norwich (1824), in Middletown (1825), and in





*(Courtesy Conn. State Lib.)*

SOUTH GLASTONBURY FERRY

New London (1827) were patterned after the Hartford bank. To avoid a single family's domination of the bank and to prevent an individual from depositing funds to avoid payment of taxes, a limitation on deposits was fixed by a number of banks. The average deposit in 1843 was only \$143. Yet the limitation on deposits stimulated the organization of saving and building associations which were permitted to receive deposits in the form of stated payments and to lend to members on real or personal security at a stated rate of interest plus a bonus on which



the parties would agree. Apparently, these organizations quickly exceeded their prerogatives, and, in 1858, these institutions were requested to cease operations.

Connecticut banks rode the crest of economic optimism and successfully foiled the full effects of the periods of panic. In the years immediately following 1825, seven banks were chartered and when Jackson successfully opposed the second bank of the United States, the predominantly Democratic General Assembly chartered ten additional banks in 1833 and 1834. Land speculation had declined in Connecticut by the time Jackson's specie circular was issued so that its effect on the state was slight. It is true that all but four of the banks in the state, the City Bank of New Haven, the Union Bank of New London, and the Mystic and Stonington banks, suspended payment of specie. However, no banks failed during this period, and, when specie payment was resumed in May, 1838, the immediate resources of the banks amounted to more than half of their liabilities and the specie on hand equalled twenty-seven per cent of that in circulation.<sup>100</sup>

Subsequently, the bank controversies and the collapse of the Eagle Bank of New Haven and the Derby bank brought about regulatory legislation. Because of decreasing profits, the Directors of the latter bank closed its doors in 1825. Unfortunately, the vacated charter fell into the hands of a group of swindlers who issued \$80,000 of fraudulent notes which the lawful managers of the bank could not liquidate. In the case of the Eagle Bank, the President had extended to borrowers a credit of over a million dollars which was about twice the bank's capital. Payments were stopped in September, 1825. Although the charters did not contain a provision authorizing an investigation, the legislature suspended the charter of the Eagle Bank and revoked that of the Derby. The institution of a general banking policy was postponed until the investigation was complete.<sup>101</sup> One found guilty of intent to defraud, or of appropriating to himself company funds, or of making a false entry on the company books was liable to a prison term of from one to fourteen years according to an act of 1829. In 1835, banks were forbidden to retain as surplus earning a sum greater than five per cent of their capital stock. Cashiers were required to make their returns on standard forms after 1836. Branch banking was prohibited in 1837, and, in 1842,

all banks were placed under the supervision of three commissioners appointed annually by the state legislature.<sup>102</sup>

The increase in the number of banks was matched by the increase of insurance companies. The number had increased from five to twenty-eight from 1818 to 1850 and the capitalization had increased to over \$4,600,000. The largest were the Hartford County Mutual and the Connecticut Life. This increase is explained, partially, at least, by the rise of public confidence after the Hartford Fire Insurance Company and the Aetna Insurance Company strained their resources to pay the claims resulting from fires in New York in 1834 and 1845.<sup>103</sup> The increase in the number of insurance companies and their accumulation of capital serves as an index to the improved financial condition of the state and its ability to finance an expanding economy.

The blueprints for economic development had been sketched by 1850. Many products, which seemed to become synonymous with their Connecticut imprint, such as hardware, firearms, and brass, were already well established. Others, such as silverware and rubber, were sufficiently established to augur well for their continuance. As the factory system emerged, transportation and finance kept pace, and agriculture, which was beginning to show specialization, was adjusting to the demands of an urban industrial civilization. Meanwhile, the urge for reform, stemming in part from the industrial development in Europe, and in part from the conditions of this development in the United States, motivated men to improve society by means of political action and even armed conflict. The American Civil War had an uncertain effect on the transformation of Connecticut into an industrial state. That it was responsible for some endeavors is unquestioned. There is, however, no exact measurement possible of the extent to which the contest interrupted or altered what would have been the peacetime development. In the twenty years from 1850 to 1870, Connecticut was involved with the issues of reform, particularly as they related to the slavery imbroglio.

#### NOTES—CHAPTER XIX

<sup>1</sup> Percy Wells Bidwell, "Rural Economy in New England at the Beginning of the Nineteenth Century," *Transactions of the Connecticut Academy of Arts and Sciences*, Vol. XX, April, 1916, pp. 268-69; Edward H. Jenkins, "Connecticut Agriculture," in Osborn, ed., *History of Connecticut*, Vol. II, pp. 348-50.



- <sup>2</sup> *Ibid.*, p. 346; Morse, *Neglected Period*, pp. 218-19.
- <sup>3</sup> *Ibid.*, p. 219.
- <sup>4</sup> Jenkins, "Connecticut Agriculture," in Osborn, ed., *History of Conn.*, Vol. II, pp. 347-50; Bidwell, "Rural Economy in New England," pp. 354-61.
- <sup>5</sup> *Ibid.*, pp. 331-33; Jenkins, "Connecticut Agriculture," in Osborn, ed., *Hist. of Conn.*, pp. 385-88.
- <sup>6</sup> *Ibid.*, pp. 414-18; Bidwell, "Rural Economy in New England," pp. 333-34.
- <sup>7</sup> *Ibid.*, pp. 340-42; Jenkins, "Connecticut Agriculture," in Osborn, ed., *History of Connecticut*, Vol. II, pp. 400-402.
- <sup>8</sup> *Ibid.*, pp. 391-98; Bidwell, "Rural Economy in New England," pp. 336-38.
- <sup>9</sup> Jenkins, "Connecticut Agriculture," in Osborn, ed., *History of Connecticut*, Vol. II, pp. 412-13.
- <sup>10</sup> *Ibid.*, pp. 406-407.
- <sup>11</sup> Bidwell, "Rural Economy in New England," p. 334.
- <sup>12</sup> Morse, *Neglected Period*, pp. 220, 230.
- <sup>13</sup> *Ibid.*, pp. 229-30; Jenkins, "Connecticut Agriculture," in Osborn, ed., *History of Connecticut*, Vol. II, pp. 365, 372.
- <sup>14</sup> Morse, *Neglected Period*, pp. 223-25.
- <sup>15</sup> *Ibid.*, pp. 223-27.
- <sup>16</sup> *Ibid.*, p. 228.
- <sup>17</sup> *Ibid.*, pp. 227-29.
- <sup>18</sup> *Ibid.*, p. 230.
- <sup>19</sup> Grace Pierpont Fuller, *An Introduction to the History of Connecticut as a Manufacturing State* (Smith College Studies, Vol. I) (Northampton, 1915), pp. 3-25, 44-50.
- <sup>20</sup> Constance McL. Green, *History of Naugatuck* (New Haven, 1948), pp. 49-61.
- <sup>21</sup> Constance Green, *Naugatuck*, p. 51; Felicia Johnson Deyrup, *Arms Makers of the Connecticut Valley, A Regional Study of the Small Arms Industry, 1798-1870*, (Smith College Studies in History, Vol. XXXIII), (Northampton, 1948), pp. 71-81; George B. Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, p. 403; Herbert C. Keith and Charles Rufus Harte, "The Early Iron Industry of Connecticut," Fifty-first Annual Report of the Connecticut Society of Civil Engineers, (New Haven, 1935), pp. 3-69.
- <sup>22</sup> Jeannette Mirsky and Allan Nevins, *The World of Eli Whitney* (New York, 1952), pp. 128-46, 186; Constance McL. Green, *Eli Whitney and the Birth of American Technology* (Boston, 1956), pp. 63-118.
- <sup>23</sup> Mirsky and Nevins, *World of Eli Whitney*, p. 202.
- <sup>24</sup> *Ibid.*, p. 201.
- <sup>25</sup> Constance Green, *Whitney*, p. 139.
- <sup>26</sup> Mirsky and Nevins, *World of Eli Whitney*, p. 177.
- <sup>27</sup> Constance Green, *Whitney*, p. 123.
- <sup>28</sup> *Ibid.*, pp. 137-39; Mirsky and Nevins, *World of Eli Whitney*, pp. 177-89.
- <sup>29</sup> *Ibid.*, p. 177.
- <sup>30</sup> *Ibid.*
- <sup>31</sup> Charles H. Fitch, "Report on the Manufacturing of Interchangeable Mechanisms," *Tenth Census of the United States*, Vol. II, pp. 2-3.
- <sup>32</sup> *Ibid.*, p. 3.
- <sup>33</sup> *Ibid.*
- <sup>34</sup> Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, p. 29.
- <sup>35</sup> Purcell, *Connecticut in Transition*, pp. 135-36.
- <sup>36</sup> Deyrup, *Arms Makers*, pp. 47-48.

- 37 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 19-23; Purcell, *Connecticut in Transition*, pp. 135-36.
- 38 Clark, *History of Manufactures*, Vol. I, pp. 296-97.
- 39 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, p. 95.
- 40 Constance Green, *Naugatuck*, pp. 52-53; Fuller, *Connecticut as a Manufacturing State*, p. 12.
- 41 Deyrup, *Arms Makers*, p. 49; Constance Green, *Naugatuck*, pp. 49-54.
- 42 *Ibid.*, pp. 51-55; Shephard, *Pedlars Progress*, pp. 46-72; Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 92-97.
- 43 Morse, *Neglected Period*, pp. 251-53; Shephard, *Pedlars Progress*, p. 63.
- 44 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 260-61.
- 45 *Ibid.*, pp. 60-65.
- 46 Morse, *Neglected Period*, p. 237.
- 47 Deyrup, *Arms Makers*, pp. 146-59.
- 48 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 60-65.
- 49 *Ibid.*, pp. 33-38.
- 50 Deyrup, *Arms Makers*, p. 55.
- 51 Clark, *History of Manufactures*, Vol. I, pp. 466-67.
- 52 Constance Green, *Eli Whitney*, p. 99; Deyrup, *Arms Makers*, pp. 45-54.
- 53 *Ibid.*, p. 47.
- 54 *Ibid.*
- 55 Morse, *Neglected Period*, p. 242.
- 56 Deyrup, *Arms Makers*, p. 99.
- 57 Clark, *History of Manufactures*, Vol. I, p. 429; Fuller, *Connecticut as a Manufacturing State*, p. 13.
- 58 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, p. 205.
- 59 Fuller, *Connecticut as a Manufacturing State*, p. 44.
- 60 Daniel F. Tyler, *Statistics of the Condition and Products of Certain Branches of Industry in Connecticut for the Year Ending October 1845* (Hartford, 1846), pp. 193-230.
- 61 *Ibid.*, pp. 193-99.
- 62 Fifty per cent of the total production in an industry has been arbitrarily chosen as the point indicating that concentration existed, i.e., if a county or any two counties produced materials valued at at least 50 per cent of the total production of that class of products, this manufacture is said to have been concentrated there.
- 63 Tyler, *Industry in Connecticut, 1845*, p. 199; Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 241-52.
- 64 Tyler, *Industry in Connecticut, 1845*, pp. 198, 207-208.
- 65 *Ibid.*, pp. 198, 207.
- 66 Clark, *History of Manufactures*, Vol. I, p. 524.
- 67 Tyler, *Industry in Connecticut, 1845*, pp. 202-203.
- 68 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 97-102.
- 69 Tyler, *Industry in Connecticut, 1845*, pp. 200-203.
- 70 Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, p. 64.
- 71 *Ibid.*, pp. 295-302; Tyler, *Industry in Connecticut, 1845*, p. 210.
- 72 *Ibid.*, p. 211; Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 203-205.



- <sup>73</sup> *Ibid.*, pp. 171-78; Deyrup, *Arms Makers*, pp. 43-45; Tyler, *Industry in Connecticut*, 1845, p. 213.
- <sup>74</sup> Chandler, "Industrial History," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 154-61.
- <sup>75</sup> *Ibid.*, pp. 224-29.
- <sup>76</sup> *Ibid.*, pp. 224-33.
- <sup>77</sup> Morse, *Neglected Period*, pp. 245-56.
- <sup>78</sup> *Ibid.*, p. 247.
- <sup>79</sup> *Ibid.*, pp. 248-51.
- <sup>80</sup> *Ibid.*, pp. 257-58.
- <sup>81</sup> Deyrup, *Arms Makers*, p. 68.
- <sup>82</sup> William A. Countryman, "Transportation," in Osborn, ed., *History of Connecticut*, Vol. IV, pp. 457-59.
- <sup>83</sup> *Ibid.*, pp. 463-67.
- <sup>84</sup> In addition to the canal proposed at Farmington, the Quinebaug, Ousatonic, Sharon, Saugatuck, New Milford, and Enfield canals were suggested. Only the last, which was important as a passage around rapids, was completed. Curtis Rufus Harte, "Connecticut Canals," Fifty-fourth Annual Report of the Connecticut Society of Civil Engineers, Inc., pp. 53-64.
- <sup>85</sup> *Ibid.*, pp. 3-13.
- <sup>86</sup> *Ibid.*, pp. 13-35.
- <sup>87</sup> *Ibid.*
- <sup>88</sup> Sidney Withington, "The First Twenty Years of Railroads in Connecticut," Tercenary Commission of the State of Connecticut (New Haven, n.d.), p. 2.
- <sup>89</sup> *Ibid.*, pp. 2-4; Morse, *Neglected Period*, pp. 270-71; Alvin F. Harlow, *Steelways of New England* (New York, 1946), pp. 170-72.
- <sup>90</sup> *Ibid.*, pp. 173-80; Withington, "The First Twenty Years of Railroads in Connecticut," pp. 5-6.
- <sup>91</sup> *Ibid.*, pp. 6-12.
- <sup>92</sup> *Ibid.*, pp. 21-22; Harlow, *Steelways of New England*, pp. 180-81.
- <sup>93</sup> George Pierce Baker, *The Formation of the New England Railroad Systems* (Cambridge, 1937), p. 70.
- <sup>94</sup> *Ibid.*, pp. 71-76; Harlow, *Steelways of New England*, pp. 181-82.
- <sup>95</sup> *Ibid.*, pp. 186-89; Baker, *The Formation of the New England Railroad Systems*, pp. 75-80.
- <sup>96</sup> *Ibid.*, pp. 45-70; Withington, "The First Twenty Years of Railroads in Connecticut," pp. 25-28.
- <sup>97</sup> *Ibid.*, pp. 27-29; Harlow, *Steelways of New England*, pp. 184-86.
- <sup>98</sup> Morse, *Neglected Period*, pp. 274-79.
- <sup>99</sup> *Ibid.*, p. 280.
- <sup>100</sup> Parsons, "Banking in Connecticut," pp. 15-16.
- <sup>101</sup> Morse, *Neglected Period*, pp. 78-79.
- <sup>102</sup> *Ibid.*, pp. 280-81.
- <sup>103</sup> *Ibid.*, p. 281; Parsons, "Banking in Connecticut," pp. 6-8.

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## Chapter XX

### Social Changes, Early Nineteenth Century

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THE POLITICAL and intellectual changes of the first half of the nineteenth century reflected the need for social improvements and provided a basis for the furthering of limited humanitarian reforms. These emanated in part from the emerging industrialization and urbanization; in part from a qualified belief in the perfectibility of man; in part from the enthusiasm engendered by evangelical protestantism, for which a basis had been laid by the moral crusade which characterized the Second Great Awakening.

In 1819, the first of a series of revivals was stimulated by fear that the separation of church and state would have a deleterious effect upon the religious life of Connecticut citizens.<sup>1</sup> Lyman Beecher traveled throughout the state exhorting his audiences to stand fast by religion. The response was extraordinary, and, in the minds of some, it revived memories of the Great Awakening of the former century.<sup>2</sup> Lyman Beecher likened it to a flood and asserted that a new day was breaking upon Connecticut.<sup>3</sup> The hostility against Congregationalists subsided after they were stripped of their worldly privileges and political influence by the Constitution of 1818. The clergymen, shortly thereafter, withdrew from politics and devoted themselves to a greater extent to the relation of God and man.<sup>4</sup> This was reflected in the Sunday service, where increased emphasis was given to the social aspects of society. Ministers tended to exhibit a broader and more sympathetic outlook upon life. Their sermons dealt more frequently with everyday problems and less often constituted long discourses on theology. Also, the ministers directed more attention to young people.<sup>5</sup>

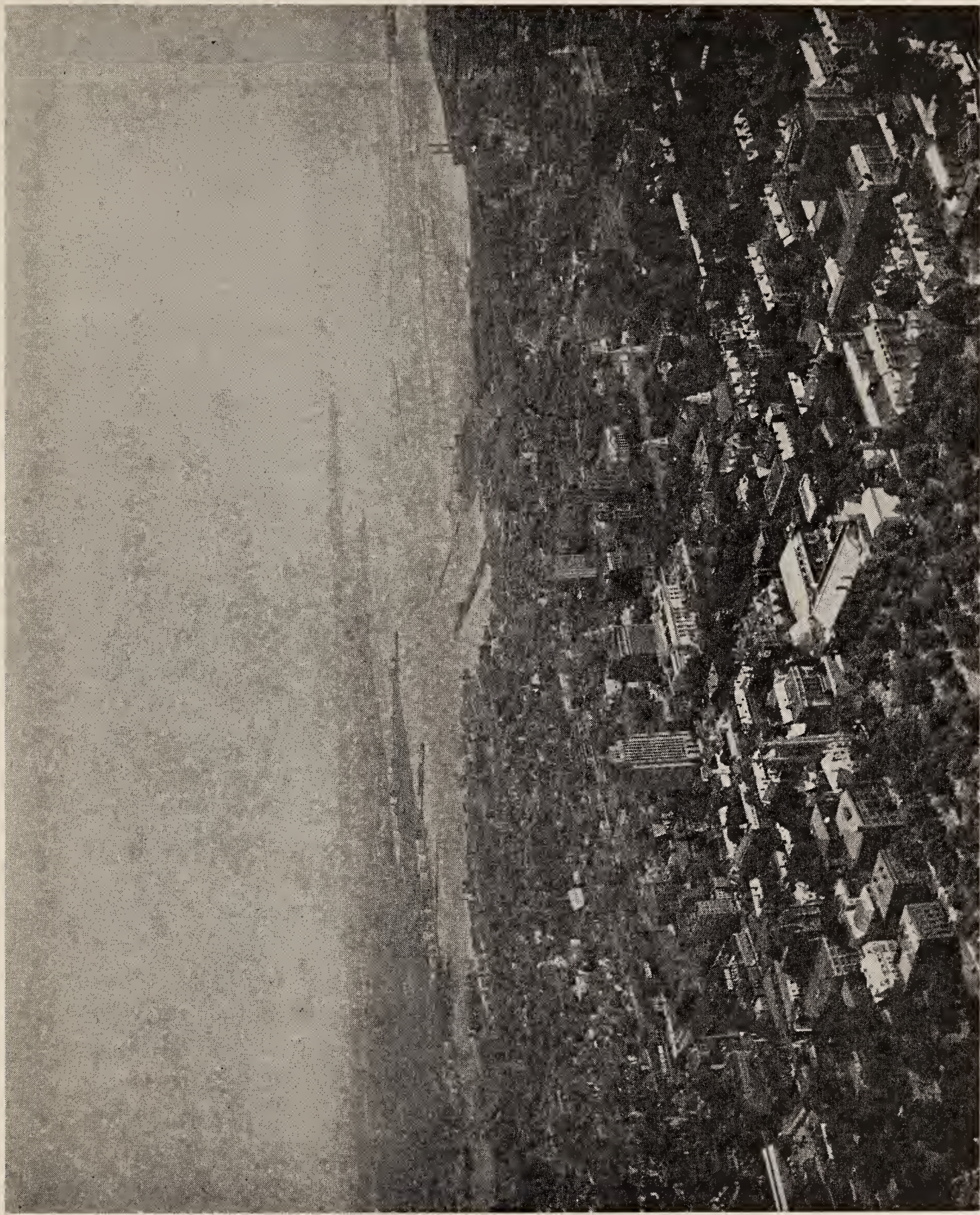
A schism developed when one of the evangelical preachers,



Nathaniel Taylor, a student of Timothy Dwight and a Professor of Didactic Philosophy at the Yale Divinity School, found the theology of his day too narrow. He believed that freedom of will was more than an illusion: that it was a power to choose between motives. He believed that one might lose his guarantee of future happiness through a lapse of righteousness, even after his election.<sup>6</sup> This, Bennet Tyler maintained, was a surrender of the Christian position. Tyler, a representative of the "Old School Calvinists," met with forty ministers at East Windsor on September 10, 1833. Here plans were drawn for the establishment of a theological seminary to counter the forces of liberalism which the group believed to be undermining the church. The cornerstone of the Connecticut Theological Seminary, later known as the Hartford Theological Seminary, was laid in May 1834, and later Bennet Tyler was inducted as President and Professor of Christian Theology. Leonard Bacon sought to minimize the differences and to retain the prestige of Congregationalism through a vigorous appeal to heal the schism. However great the differences seemed to the disputants, both groups were dedicated to a defense of Calvinism and were seeking to strengthen the Congregational Church.<sup>7</sup>

The religion which subsequently most successfully challenged Congregationalism established its first church in Hartford in 1829. Until then, the Catholics of Connecticut had received their ministrations through visitations of missionaries or church officials from Boston or New York. Concurrent with the establishment of the first Catholic Church in Hartford, the *Catholic Press* was also established.<sup>8</sup> These events stimulated opposition to "the Papists" by the religious papers of the state spearheaded by *The Protestant*.<sup>9</sup> Sister Maria Renata Daily, in a study of "The Connecticut Mind and Catholicism," concludes that anti-catholic feeling was increased by the news of the Catholic emancipation in England in 1829, the burning of the Ursuline Convent in Boston in 1834, and the circulation in that year of Samuel B. Smith's "The Downfall of Babylon, or the Triumph of Truth over Popery," and that the religious disturbances occasioned by the coming of the Catholics did not cease during the period before 1850.<sup>10</sup> The same source indicates, however, that the state remained comparatively aloof from foreigners and Catholicism as political issues. Only in 1844, ap-





NEW HAVEN

(Courtesy New Haven Chamber of Commerce)



parently, was nativism a significant issue in an election.<sup>11</sup> During this period Catholicism spread through the state, establishing a church in New Haven in 1833, in Bridgeport in 1843, and erecting a separate diocese for Connecticut and Rhode Island in the latter year.<sup>12</sup> During the first half of the century, the Church was concerned primarily with defining parishes, erecting chapels, organizing churches, and initiating a school system.<sup>13</sup>

The Congregationalists were concentrating their efforts against the Unitarians, whose belief in the essential dignity and worth of man was contrary to the orthodox Congregational opinion that man was naturally depraved and necessarily sinful unless regenerated by the holy spirit.<sup>14</sup> Lyman Beecher travelled throughout the state denouncing the heretical view that man is capable of indefinite good and deserves to be honored. The Unitarians, never strong in the state, were checked within a short time.<sup>15</sup>

Other sects, which differed from the Congregationalists on church polity, were in accord in their basic social attitudes and did little to disturb the conservative course of society. After the Episcopalians achieved status through the constitution of 1818, they did little for the improvement of society other than establish Washington College. They, with the Presbyterians, were content to enjoy their own security and joined with the Congregationalists as the guardians of respectability.<sup>16</sup> These conservatives regarded the other sects as radical religious groups. Yet, if these were judged as social forces, there was little to justify the fear.<sup>17</sup> The rituals of other sects and their ministers' lack of training had led to the assumption that radicalism would exist. When they had at first come into the state, the Baptists and Methodists were generally identified as dissenters with "loose and ungodly deportment," and this view persisted into the nineteenth century.<sup>18</sup> The camp meetings of the Methodists, the public emersions of the Baptists, and the emotionalism accompanying both aroused the suspicions of the more sedate Calvinists. The Baptists did not appear to be very concerned about the education of their ministers. They did not establish any institution comparable to Wesleyan, but they did establish, in 1835, the Connecticut Literary Society which was intended as a school for students too poor to attend college. As institutions, both of the sects were poor and their

membership was generally from the less affluent of society, but both groups were pillars against immorality.<sup>19</sup>

Congregationalism remained the dominant religion throughout the first half of the nineteenth century. Their 35,000 communicants, it is estimated, equalled the numbers of Baptists and Methodists combined. The Congregationalists were not only dominant in number, but also in the influence they exercised. They set the tone for Connecticut society. As they countered the influences of other sects, they not only remained stalwart defenders of Calvinism, but established the permissible limits of social reform.

Congregational ministers, at the beginning of the nineteenth century, had sought to combat indifference to religion through organizations established to combat immorality. The Moral Society of Yale College lasted from 1797 until 1828, when it became the Moral and Theological Society. Until 1828, it concerned itself with the morality of the university students and at its monthly meetings, disputed such questions as: "Ought Infidels be excluded from public office," "Whether Theaters are beneficial," "Is dancing an innocent amusement," and "Is it expedient to form a national society for the suppression of intemperance."<sup>20</sup> The Connecticut Society for the Promotion of Good Morals, established in May, 1813, attracted some of the leading citizens of the state and grew to include 2,000 members in 30 auxiliary branches. By 1818, there were only the remnants of the once flourishing society. During its existence, it attempted to discourage profane swearing, the abuse of the sabbath and intemperance.<sup>21</sup>

The religious minorities, to varying degrees, joined the Congregationalists in the crusade against immorality, and as militant defenders of supernatural religion. All had deplored the decline of an interest in religion and had raised their voices in protest against infidels, deists, and rationalists. The purpose of their revivals and camp meetings paralleled that of the Congregational Awakening. The Methodists and Episcopalians did not join in the missionary effort as did the Baptists. The Episcopalians directed their energies toward the establishment of the Episcopal Academy at Cheshire and Washington College. The Methodists, too, devoted some of their effort to the establishment of a college. As has been suggested, they were evangelical by nature, and



there was no clear demarcation between missions and evangelism. The Baptists matched the Congregationalists in their zeal to establish missions, although their success was limited by their finances and their numbers. It is estimated that there were 9,200 Baptists in the state by 1830, while the Episcopalians were reported to number 4,000 in 1824, and the Methodists, who had a membership of 5,000 in 1821, were gaining in strength by 1830.<sup>22</sup> The Episcopalians appear to have remained aloof or to be divided upon the question of temperance, but the Baptists and Methodists joined with the Congregationalists in the campaign against ardent spirits.<sup>23</sup>

The use of spirits was universally considered a panacea in the early years of the nineteenth century: "Good in heat and cold, in weariness and painfulness, when sick and when exposed to sickness. . . . It helped the lawyer plead, the minister preach, and the physician go his rounds of duty."<sup>24</sup> The convivial cup was in evidence at business, social, and religious occasions alike. The wearisome traveler was offered a potion as a matter of courtesy. Even among those who accepted the custom, there were those who deplored the practice. A minister of East Hartford offered refreshments by the invitation: "Brethren, here is rum, gin, brandy, laudanum,—all poison. Help yourself!"<sup>25</sup> The move for reform was begun by religious leaders.<sup>26</sup>

The General Association of Congregational Churches made the first organized effort in 1812 to discourage intemperance. Previously, individual ministers, such as, Heman Humphrey of Fairfield, Roswell Swan of Norwalk, Calvin Chapin of Rocky Hill, and Lyman Beecher of Litchfield had preached against the use of strong spirits.<sup>27</sup> At a meeting of the General Association of the Congregational Churches in Sharon in 1812, a committee reported that "intemperance had been increasing . . . in a most alarming manner; but that after the most faithful and prayerful inquiry, they were obliged to confess they did not perceive that anything could be done." The Association would not dismiss the subject so handily and endorsed calling upon church members, farmers, mechanics, and manufacturers to abstain from the use of strong drink, upon parents to inform children of its injurious effects, upon ministers to preach against the evil, and for the distribution of literature on its harmful effects.<sup>28</sup> Although Timothy Dwight was apprehensive about



the success of the appeal, county associations quickly adopted the proposals and, in 1813, the Connecticut Society for the Promotion of Good Morals adopted the fight against intemperance as one of its objectives.<sup>29</sup>

In the next decade, there was progress made toward changing the



(Courtesy Conn. State Lib.)

ABINGTON—PUBLIC LIBRARY BUILT IN 1885. A TWO ROOM BUILDING,  
ONE USED FOR LIBRARY AND ONE FOR SCHOOL

drinking habits of Connecticut citizens, especially among the ministers and church members. Strong drink was abolished from ministerial meetings and church functions. The Reverend Joseph Harvey reported in 1815, that intemperance had “received a mortal wound.” It was believed by others that taverns were visited less frequently and that there were, perhaps, less habitual drunkards.<sup>30</sup> There was a certain dichotomy between principle and practice, however, and Thomas Robbins, a Con-



gregational divine who advocated temperance, recorded in his diary on January 23, 1821, that he received a barrel of cider brandy for which he paid thirty cents a gallon. That the Moral Societies reflected the thinking of only a small segment of the population is suggested by the fact that 230 distilleries were reported to exist in 1819 and over 380 in 1820. The General Assembly refused in 1821 and in 1823 to enact laws to remove the sale of liquor from strictly local control.<sup>31</sup>

The failure to gain legal controls and the failure of the plea for temperate drinking to attract large numbers of the population caused temperance leaders to take a more militant stand and to call for total abstinence. When the Moral Societies disintegrated, ecclesiastical organizations kept the temperance idea alive and Congregational ministers provided the transition from earlier efforts to the new attempts. Again, Lyman Beecher sounded the call for action in a series of six sermons delivered in Litchfield in 1826.<sup>32</sup>

"Talk not of habit, and of prudent use, and a little for the stomach's sake," Beecher pleaded and demanded immediate and entire abstinence. Intemperance was portrayed as a sin, a disease, and a crime. "Of all the ways to Hell, which the feet of deluded mortals tread, that of the intemperate is the most dreary and terrific."<sup>33</sup> The excessive use of drink, Beecher pointed out, not only impaired the health of the individual and well being of the community, but was a threat to the national conscience, patriotism, and military prowess. In six persuasive sermons, Beecher outlined the nature, signs, evils, and remedy of intemperance. Respect for property, however, dissuaded him from directing his attack toward the distillers or those who trafficked in the spirits.<sup>34</sup> "To insist that men, whose capital is embarked in the production, or vending of ardent spirits, shall manifest the entire magnanimity . . . is more than we have the right to expect or demand," asserted Beecher.<sup>35</sup> Nor did Beecher believe that there was an immediate hope of curing the evil of drink through legislation. The core of his recommendation was the creation of "a correct and efficient public sentiment; such as has turned slavery out of half of our land, and will yet expel it from the world."

When Beecher went to Boston, the burden of keeping the temperance movement alive fell to the capable Calvin Chapin of Rocky Hill

and to Nathaniel Hewitt of Fairfield. They were assisted by Samuel J. May of Windham County and by the personal influence of President Day of Yale.<sup>37</sup> The American Society for Temperance was formed in Boston in February in 1826 and a year later Yale students followed the admonition of the *Religious Intelligencier* and agreed to do everything possible to further temperance. The Medical Society and the Mechanics Society of New Haven fell in line, and in September, 1827, a Young Men's Temperance Society was formed in Hartford. County and local temperance groups sprang into being and provided the enthusiasm out of which the Connecticut Temperance Society was formed in May, 1829. Within a year, 172 auxiliaries had been organized with an estimated membership of 22,000. It was reported that the State Treasurer collected \$1,000 less for licenses in 1829 than in the previous year. It was reported, too, that laborers in the stone quarries along the Connecticut River and on the wharfs and fish piers were abstaining from the use of liquors. Each annual report of the Temperance Society listed an additional number of members.<sup>38</sup>

All the efforts of the increased number of members were insufficient to achieve stringent liquor legislation until 1850. An act of 1823, which permitted town magistrates to instruct retailers to cease the sale of liquor to habitual imbibers in danger of pauperism was repealed in 1832. As a substitute, an attempt was made to prevent the sale of liquor in quantities of less than ten gallons, except on special license from town authorities. This attempt to force saloons to close and drinkers to imbibe at home was watered down in the next session of the legislature by permitting those who failed to get a license to petition the county court for relief. An attempt to permit individual towns to adopt their own restrictions, which would have resulted in stricter control in temperance centers, failed of passage in 1835. In 1836, a law prohibiting judges and justices of the peace from becoming tavern owners was repealed. Petitions for action and dissertations on the evils of drink continued to pour upon the legislators.<sup>39</sup>

The methods of licensing and of attempting to control the sale of liquor were frequently changed in the following years. An attempt in local option was begun in 1839, but was brought to an abrupt end. The repeal was based, apparently, upon the argument that temperance



could be accomplished only by moral sentiment, not by legislation. Legislators were obviously uncertain as to what course to follow. Local option was tried again in 1845 and abandoned the next year. By mid-century, the legal controls of ardent drinking were limited to denying the drunkard the right of purchase and to prohibiting all retailers, except tavern keepers, to sell liquor for consumption on the premises.<sup>40</sup>

This failure to take a more determined stand against the sale and use of liquor indicated that opinion had not crystallized on the subject. Those interested in reform were not in agreement as to the most desirable control. Some favored local option, others state control, and a third group believed that legislation should be limited to that which was necessary for public order. The legislators grew weary of this division of opinion. Reformers continued to instruct as to the evils of drink, and, in 1854, the state experimented with a law which forbade the sale of liquor with few exceptions and was enforceable by invoking strict search and seizure clauses.<sup>41</sup>

Other social responsibilities faced the state. The Connecticut Asylum for the Deaf and Dumb was established as a result of the energetic efforts of the Hartford physician, Mason F. Cogswell. Dr. Cogswell, himself, had a deaf daughter and recognized the need to provide training. He presented his hopes for some type of a school to the General Association of Congregational Ministers, talked with friends, sought out parents of deaf and dumb children, enlisted the support of gentlemen in public life, was instrumental in having ascertained the number of mutes in the state, and interested a recent graduate of Yale, Thomas H. Gallaudet, in directing the undertaking. Gallaudet was sent to Europe to study the methods of teaching the deaf and dumb, and after his return, interest increased. Monies were received from a number of sources, including \$6,000 from Boston and Salem, \$3,000 from Hartford, and \$5,000 from a legislative appropriation. Within eight months the Asylum opened, the first of its kind in the United States.<sup>42</sup>

The change in name of this institution, from the Connecticut to the American Asylum, was indicative of the national significance and growth of the institution. Enrollment grew from seven on opening day to 143 in 1829. Grants were received from private sources, and from the legislatures of other New England States in compensation for train-

ing given to their residents. More than fifty thousand dollars, which were received from the sale of lands in Alabama, were granted to the Asylum by the United States Congress. The average amount provided by the state from 1830 to 1846 was \$1,863. The institution quickly became the model for similar institutions in the United States. Also, special schooling for this group of afflicted served as an example of what might be done for other groups of society's unfortunates.<sup>43</sup>

The extent of the state's care for the insane was limited to assisting a private undertaking which did not in any way come close to solving the problem which existed in the first half of the nineteenth century. The approach was strikingly similar to the one followed a century and a half later as a basis for extending services to the mentally retarded. The Connecticut Medical Association, in 1812, discussed the problem but took no action. Three years later, the General Association of Congregational Ministers undertook a "census" of the number in the state who were in any way afflicted with "lunacy." The incomplete returns of 1816 identified 146, although "the best informed observers were convinced that the number was much larger."<sup>44</sup> Five years later when the doctors of Hartford County brought up the problem again, it was agreed that the first step should be a determination of the number of deranged persons in the state. Seventy towns reported 510 "lunatics and idiots"; 54 towns did not report. It was estimated, then, that there were 1,000 such persons in the state.<sup>45</sup>

A handful of citizens, the most zealous of which was the Reverend Thomas Robbins, aroused interest in extending help to the insane. Private contributions totaled \$20,000 by 1822; the legislature appropriated \$5,000. After at least four asylums for the insane had been established elsewhere in the United States, the Hartford Retreat was opened in 1824. Its initial accommodations for 50 were increased to 90 in 1830.<sup>46</sup>

The establishment of the Retreat, rather than stimulating the state to provide supplementary facilities, led to the state's placing reliance on the private institution. The 900 insane reported to be in the state and the estimate that 60 persons became insane each year adequately demonstrated the need for additional facilities. In 1839, the members of the legislative committee to which consideration of the problem had been



referred favored the establishment of a separate hospital rather than the building of facilities in proximity to the Retreat, which had offered to care for the patients at the rate of \$2.00 a week. It was proposed that a commission be named to select a site, to purchase not less than eighty acres of land, and to select those who would erect a hospital with accommodations for 150 patients. The legislature did not grant the requested appropriation of \$20,000 for the lands and buildings. Instead, another committee was appointed to consider the matter. In 1840, this committee recommended Middletown as the location for a state institution. When a state hospital seemed almost a reality, the Retreat proposed that it would care for all indigent insane citizens of the state at \$2.50 a week. It was argued that this cost was less than would be required for the operation of a state institution and that a second institution was not needed. The Board of Directors of the Retreat appealed further to Yankee prudence by pointing out that if the arrangements did not work, other arrangements could be made. Two years later the state entered into a contract with the Retreat. In addition, the Retreat contracted with the towns for the care of the insane poor. In 1842, the state limited its liability to the extent of a \$2000 appropriation, which provided for 800 patient days. This was raised to \$3000 in 1844. During the next decade it was reported that 439 state beneficiaries were admitted to the Retreat for varying lengths of time. Approximately one-half of these were discharged as cured. The state's parsimony, however, came to haunt it. In addition to the cost of the care of the patients, the state contributed \$19,000 to the Retreat for the construction of buildings. This amount was only \$1,000 less than had been estimated for the establishment of a state hospital.<sup>47</sup>

In part, the failure of the state to provide adequate facilities was partially compensated by the revolutionary improvement in humane care which was inaugurated at the privately operated institution. Bolts and keys were replaced with an adequate number of attendants who were to accompany the patient in his work and play and to encourage him to participate in the many activities. The attendants were instructed to treat the patient with kindness and respect and to try to convince the patient that he was surrounded with friends.<sup>48</sup>

There were humanitarian reasons for establishing a new state

prison, but the ultimate decision to do so was based in part upon economic considerations. The notorious conditions at Newgate had been improved only slightly after 1800 by the construction of new buildings and by the abandonment of the use of the underground caverns except for hardened criminals. Governor Trumbull had recommended an improvement in the method of handling criminals. Experiments in solitary confinement and in the grouping of prisoners engaged in the same trade had been tried in other parts of the country. In Connecticut only the desirability of religious instruction for prisoners was attended. A legislative committee reported to the Connecticut General Assembly in 1826 that "the pit" was not a fit place for the confinement of fellow men. Also, the Newgate Prison had cost the state annually an average of \$8,400 during the preceding ten years. It was believed that a Wethersfield location nearer the markets and the possibility of the employment of convicts at brickmaking would enable the institution to run at a profit. The new prison was opened at Wethersfield early in 1828. It fulfilled the hopes of its sponsors. For the first eighteen months, the officials reported little sickness, no deaths, and no escapes. There was a profit, too, of \$3000 during the first year.<sup>49</sup> The net profits from the state prison from 1827 to 1846 were \$108,477. Monies were given to prison benevolent societies, and a thousand dollars was given to each of four counties of the state for a county jail. After paying all expenses and distributing funds rather liberally, the prison returned \$63,000 to the state treasury during the twenty-year period.<sup>50</sup>

The basic principle that relief of the poor was primarily the responsibility of their town of settlement was not altered.<sup>51</sup> In 1820, when the early distinction between resident and inhabitant may have become blurred and the determination of legal settlements complicated by the new settlement laws, especially those based on commorancy, the state by explicit statement excluded from its responsibility anyone born in Connecticut or adjoining states, anyone who had ever been an Inhabitant of a Connecticut town, and anyone for whom any individual or town was responsible. It has been suggested that towns were loosely charging against the state costs which they should have assumed in these cases and overcharging where the state was responsible. State aid was further limited to a maximum of \$1 a week for those over 14 years and to fifty



cents a week for those under 14. They were, however, to be cared for actually by contract with the lowest bidder. Even for unsettled persons, for whom it did assume liability in this limited amount, the state limited its responsibility to a three-month period except in the case of an illness beginning in this period and lasting longer. After this period, the town was responsible, unless it had the person removed.<sup>51a</sup>

The amount spent by the state steadily decreased during the period. In the years 1826-28, support of paupers had decreased to \$2,600 and continued to decrease; in 1829-1833 to \$2000, in 1834-36 to \$1800, in 1837-42 to \$1700, in 1843-46 to \$1500, and in 1847-50 to \$1100.<sup>51b</sup>

In 1821, the responsibility of the town was increased to include former inhabitants who had established a settlement in another state, but who returned and came to want.<sup>51c</sup> Towns assumed responsibility only if they had no relatives to assume the burden and no estate sufficient for their support. It was provided further that the estate of a town pauper when not exceeding \$30 could be disposed of by selectmen for use of the town, if no one took out administration within ninety days.<sup>51d</sup>

By the early nineteenth century there had come to exist three methods of town relief: in one's home, in the almshouse or other place designated by the town, or by the contractor for the town poor.<sup>51e</sup> The selectmen were overseers of the poor and were required to furnish aid to all in need, even though the person were not an inhabitant. In the latter event, the selectmen were to notify the town responsible if this were known. If a selectman failed either to give the needed help or to notify the proper town, he was fined \$7. After 1813, a general authorization for towns to establish workhouses replaced the separate grants to individual towns. Beggars and vagrants, deserters of families, fakirs, and prostitutes and drunkards were to be confined in these workhouses. Sentences were for 40 days on the first conviction, and additional time, not exceeding 40 days, for a second offense. Also, stubborn and rebellious minors could be sentenced for a maximum of 30 days. The object of a workhouse was the reformation of a prisoner, and there was a confidence in the efficacy of the workhouse to do this. Therefore the master was obligated to compel the prisoner to work, even if the prisoner promised to pay for his food. No limits were placed upon the authority of the



towns to make contracts for the town poor and no security that adequate care would be provided was required.<sup>51f</sup>

The interests of nineteenth-century humanitarians, if not of all periods, ranged across the whole of society's problems, and services pro-



*(Courtesy Mills Coll., Conn. State Lib.)*

SHARON—HOME OF ADMIRAL THOMAS HART, PHOTO 1952

vided in one area frequently advanced the cause of the other. There is no better example of this than the emergence of the woman as a force in the social and educational life of Connecticut. The state of infidelity which was presumed to exist in the early part of the nineteenth century provided them the opportunity to come forward in the service of the Lord and to gain experiences in Bible societies. Here the women began to play new roles and there emerged a new consciousness of their im-



portance and approbation for their efforts. The editor of the *Religious Intelligencier* regarded it as a peculiar honor of the age that "women have discovered, and extensively entered the path, in which their peculiar glory is to be found."<sup>52</sup> The "active cooperation of the female sex," the editor wrote in 1822, was "one of the most delightful features of the present age."<sup>53</sup> From these beginnings, women emerged to influence most of the reforms of the first half of the nineteenth century.

It was through efforts for educational reform that women next found an opportunity to express their opinions and to exercise their talents. The literature of the educational reform movement made mild, but eloquent, pleas for the hiring of female teachers.<sup>54</sup> Catherine Beecher, the eldest daughter of Lyman Beecher, expressed the case for women teachers.<sup>55</sup> After a short experience in a private institution for young ladies and a love affair which ended with the tragic death of her fiance, she "dedicated her life to the service of society." She apparently regarded teaching as a stepping stone to a larger and richer public career. She observed in a letter to her father in 1824 that "there seems to be no very extensive sphere of usefulness for a single woman, but that which can be found in the limits of a school-room; but there have been instances in which women of superior mind and acquirements have risen to a more enlarged and comprehensive boundary of exertion."<sup>56</sup> She, then, returned to the role of teacher, and established the very respectable Hartford Female Academy in 1824.<sup>57</sup> She believed that women with "an intimate knowledge of feelings, affections, and weaknesses . . . which it is not practicable or proper for one of the other sex to attain" are best equipped to educate those of their own sex.<sup>58</sup> Intelligence and virtue were indispensable, she believed, to the security of democracy and called upon American women to supply the necessary teachers.<sup>59</sup>

Emma Willard and Almira Phelps, contemporaries of Catherine Beecher, had already established national reputations as leaders in the education of women and in the development of female seminaries. These two women were members of the prominent Hart family of Berlin, where there had been established a tradition of good schools. Emma had returned to her home town in 1839 when the Kensington School Society defied one tradition by creating the office of Superintendent of

Schools and another by naming a woman, Emma Willard, to the position. She successfully revived the languishing school system and developed a climate of opinion sympathetic to the improvement of the common schools.<sup>60</sup>

The feminists of Connecticut were not to make a direct attack on the position of the male, but through the education of his daughters were to dethrone him. "We mean to force men to resign their gold," wrote Catherine Beecher, "and even to forge chains for themselves with it; and when we have trained their fair and rosy daughters, we will enforce a 'Pink and White Tyranny' more stringent than any earthly thralldom . . . under the Great Taskmaster, the Lord of love and happiness."<sup>61</sup> Whether from design or conviction she did not claim equal pay or equal abilities for her sex. It was readily acknowledged that women were inferior to men in knowledge and that the male would turn to the more honorable and lucrative endeavors. She called upon women, however, to place the "most important things first in attention."<sup>62</sup> "It was right, and a duty for a woman to attend to domestic affairs; but, except in cases of emergency, it is not right to devote all her time to this alone."<sup>63</sup> She proposed placing domestic economy on an equality with other sciences in the female schools, not as a practical art, but as a science taught in the same manner as political economy. Miss Beecher designed a course and wrote a text embracing physiology, modes of performing all family duties, and the use of time and money. The text was widely adopted by female institutions and was proclaimed "a book extremely suited to be used as a textbook in schools for young ladies."<sup>64</sup> Through such education, Miss Beecher hoped to relieve some of the sufferings and hardships stemming from poor health, poor domestics, and a defective domestic education which plagued beset young wives and mothers, and particularly those of the wealthier classes.

To Miss Beecher, however, training was merely a first step in freeing women. She was identified as the spiritual leader of a movement to secure specific legislation to improve the position of women in Connecticut life. It was decreed in 1826 that women would no longer be imprisoned for debt and in 1845 that the real estate which a woman held at the date of her marriage could not be taken for her husband's debt. The next year the law was extended to exclude wages made either



before or after her marriage.<sup>65</sup> Efforts during the first half of the century to exempt the personal effects of the wife from seizure were futile.<sup>66</sup> The ultimate success of women in gaining a new status and influence is not measured solely by protective legislation, but also by their efforts in other fields, such as the abolition of slavery.

Slavery was hardly a direct factor in Connecticut life. It was considered, rather, as a condition characteristic of another section of the country and could be judged by certain immutable principles which did not have to be directly applied to the realities of Connecticut living. In general, Connecticut residents opposed the institution of slavery in the South and opposed its extension into the territories. Abolition, rather than the condition of the slave in Connecticut, was of first importance to the Connecticut reformer, although the latter received some attention. It is estimated that there were not more than forty slaves in the state in 1830, by which time slavery in the state had been limited by several acts although it continued its legal existence until 1848.<sup>67</sup>

In the first decades of the nineteenth century there had been moderate, but important, anti-slavery expressions and activity by a small group of Congregational ministers. Samuel J. Mills, the son of a Connecticut minister and a graduate of Andover, travelled through the South and became alarmed at the spiritual and intellectual depravity of the Negro. He was active in the establishment of the American Colonization Society in 1817-1818. His career came to an untimely end in the latter year, when, on a trip to Africa to locate a suitable place for the colonization of Negroes, he contracted a tropical fever from which he never recovered. Soon after his graduation from Yale in 1818, Ralph Randolph Gurley of Lebanon became an officer in the American Colonization Society and an editor of the *African Repository*. Leonard Bacon, minister of Center Church in New Haven, wrote a report "On the Black Population of the United States" while a student at Andover and became a leader in the anti-slavery movement.<sup>68</sup>

Connecticut continued to hold a moderate course on slavery during the 1830's, endorsing colonization as the method by which the Negro was to be ultimately freed. The Connecticut General Association of Congregational Churches endorsed the idea of colonization of Negroes in 1825 and three years later the Connecticut Colonization Society was

formed. Newspapers of the state subscribed to the gradual approach. The *Religious Intelligencier* followed the lead of the Congregational ministers and in general subscribed to the idea of colonization while the *Connecticut Observer* was even more conservative. In an effort to keep the issue of slavery from being controversial and at the same time to show that the freeing of the slaves was safe and practical, Leonard Bacon established in New Haven, in 1834, the *Journal of Freedom*. The program of moderation reached its height, perhaps, in 1835 when the American Union for the Relief and Improvement of the Colored Race was formed in Boston. From the beginning, this association seems to have been controlled by conservative ministers, including those from Connecticut.<sup>69</sup>

The issue of slavery and antipathy for extremists reached new heights in 1833, when Prudence Crandall attempted to establish a school for "young ladies and little misses of color." Miss Crandall, an experienced teacher and a Quaker, "gave great offense" to the residents of Canterbury when she admitted to her well regarded school a young Negro girl. Then, in response to her patrons' objections, she announced her intention of establishing a school exclusively for colored children, a storm broke over the village. The counsel of friends, the visitations of committees, and a town meeting which drew up a series of resolutions protesting the school failed to stop the spirited Prudence. The school was begun and a second town meeting was called to authorize a committee to draw up a petition "deprecating the evil consequences of bringing from other states . . . people of color." The protest was not merely a general objection to increasing the number of Negroes in the state, but was a specific opposition to any agency upholding proposals contrary to the doctrine of colonization as a solution.<sup>70</sup>

The continuance of the school was forbidden by Connecticut's "Black Law" passed in 1833. The architect of this bill was undoubtedly Andrew F. Judson, a neighbor of Miss Crandall's, the "great man of the town," and a leading Democrat who had sworn "that nigger school shall never be allowed in Canterbury." The Connecticut law forbade the instruction or education of colored persons who were not residents of the state in any town except with the consent of a majority of the civil authorities and of the selectmen of the town. Miss Crandall was



arrested, her trial set for the August session of the Superior Court, and bail required to avoid being lodged in jail. The abolitionists desired for Miss Crandall to don martyr's robes, and, to gain the desired public reaction, refused to provide bail until the jail house door was closed. Money was advanced the next day and Miss Crandall resumed her teaching while awaiting trial.<sup>71</sup>

Miss Crandall's arrest gained her legions of sympathizers and the financial support of Arthur Tappan, who wrote to Samuel J. May, one of Prudence's ardent supporters, saying, "Consider me your banker." The legal counsel of Calvin Goddard and W. W. Ellsworth were worthy of the issue. They based their defense on the unconstitutionality of the law. The prosecution charged that Miss Crandall had instructed colored children without first getting permission of the inhabitants of the town. After the first trial resulted in a hung jury, the case was promptly rescheduled for the October session of the court. There, the jury, in response to a direct charge of the judge, returned a verdict of guilty. This was immediately appealed to the Court of Errors where it was argued in July, 1834. Whether because the evidence was contrary to the personal wishes of the members of the court and the prevailing climate of opinion or for other reasons, the court reserved its decision until a later time.

As the school continued, the attacks grew more violent. An attempt was made to burn Miss Crandall's house and shortly thereafter it was rendered nearly uninhabitable by a group of night marauders. Finally, on the advice of friends, she gave up the school, forced by public opinion rather than by decisions in law. She had contributed to the divisiveness developing within the state on the issue of slavery by strengthening the forces of the abolitionists.<sup>72</sup>

The state had at first rejected abolition as a solution to the slavery question and was the last of the New England states to form an abolition society. This was not established until 1838. Simeon S. Jocelyn, minister of the Negro church in New Haven, and Arthur Tappan, the New York merchant who lived in New Haven and who helped Prudence Crandall, were among Garrison's early enthusiastic supporters. In general, however, Garrison met with a negative reaction in the state for his methods were antithetical to the state's notion of respectability and



contrary to its ingrained habit of gradualism. When Garrison openly criticized the colonization efforts and directed his attacks against Leonard Bacon, the conservatives closed ranks in opposition to aboli-



*(Courtesy Mills Coll., Conn. State Lib.)*

WEST TORRINGTON—JOHN BROWN BIRTHPLACE, A RARE PICTURE

tion.<sup>73</sup> As abolition gained supporters, the issue became more acute. In Guilford, 123 members of the more radical anti-slavery members withdrew from the Congregational Church to form a separate congregation. On the other hand, after an agent of abolition had spoken in a Congregational Church in Redding, the church was blown up and in Wolcott the Congregational Church was burned to prevent an abolitionist from speaking there.<sup>74</sup> In an attempt to obviate such violence, the General Association of Congregational Ministers resolved in 1836 that ministers



and churches had the right to determine who might or might not speak from their pulpits. Without mentioning abolitionists, they took an effective stand against anti-slavery lectures.<sup>75</sup>

Yet Connecticut was determined to prevent its Negro population from increasing as is revealed in the case of a band of captive Negroes who were lodged in New Haven's jail when the slave ship *Amistad*, somewhat by accident, was taken by a United States brig off the coast of New London. A cargo of slaves were taken from Africa to Cuba in the Spring of 1839 in violation of Spanish law. Two score of the slaves were bought by Cubans and reembarked on the *Amistad* for Puerto Principe. Under the leadership of one Joseph Cinquez, the slaves made a bold move for freedom, killing the Captain of the ship and forcing the two Cubans, who accompanied the cargo, to navigate the vessel in an attempt to return to Africa. After weeks of deliberate meandering in the Atlantic, the ship lay at anchor in Long Island Sound off New London and was captured by a United States brig. After a hearing was conducted in the latter part of August, the Negroes were lodged in the jail at New Haven.<sup>76</sup>

The fate of the Negroes immediately became involved in a series of claims and counter claims. The Negroes claimed freedom and were aided in preferring charges of assault and battery and of false imprisonment against the Cubans. The owners of the cargo in Havana claimed it; the captain of the brig claimed the *Amistad* and its cargo as salvage, the Spanish minister insisted that the Negroes should be given up and returned to Cuba for trial, and the United States District Attorney believed that they should be held subject to the President's orders. The inherent drama in the case and the public attention which it attracted meant that inevitably factors other than legal considerations would enter into any ultimate decision.<sup>77</sup>

Efforts to free the Negroes immediately failed and they were held pending the decision of the courts. Anti-slavery leaders in New York secured counsel for the Negroes. Direct appeals to the United States Attorney General failed and a writ of Habeas Corpus was denied by the United States Circuit Court when it met in Hartford in September. The case was heard by the District Court in October which adjourned to meet in New Haven in January in 1840 when its decision was an-

nounced. The vessel was granted as salvage, only the cabin boy was to be turned over to Spain, and the Negroes were to be freed. Upon the intercession of the United States Government this decision was appealed to the Supreme Court of the United States, which did not render its decision until March 9, 1841. The case for the Negroes was eloquently presented by John Quincy Adams, who had been employed by the anti-slavery forces to represent the captives. The court upheld the earlier decision, except that the Negroes were "declared to be free and be dismissed from the custody of the court" rather than to be delivered to the custody of the President.<sup>78</sup>

Freedom from the jurisdiction of the court, however, did not mean that the Negroes were at liberty to remain in Connecticut. Instead, they were to be returned to Africa in accordance with the beliefs of those who favored the African colonization of the Negroes in America. While they were awaiting their return to Africa, the Negroes were taken to Farmington where many of them learned to speak English and to accept Christianity. There was something bizarre in exhibiting the Negroes as attractions even when for the purpose of raising funds to transport them to their homelands, but funds to implement the convictions of the colonization societies were not available.

Those who have read in the *Amistad* case a radical change of sentiment from the Prudence Crandall incident have read carelessly, as is revealed in the views of A. T. Judson, who was the central figure in the persecution of Miss Crandall and the Judge of the United States District Court before which the *Amistad* case was tried. In the Crandall case, the right of the Negroes to an education was not contested, but objections were raised to their importation into the state. In the *Amistad* case, it was held that the Negroes were natives of Africa and should be transported there. Connecticut's attitude toward the Negro at the end of the 1830's was strikingly similar to her attitude toward the itinerant in colonial days: Liberty included the liberty to stay away.<sup>79</sup>

Whereas the state was not favorable to the increase of the number of Negroes in the state, the courts showed clearly that they had no desire to perpetuate the institution of slavery. It was assumed that the competition of slave labor with the poor white would tend "to reduce the price of their work and prevent their employment, and to bring the



free laborer, in some measure, into the ranks with slaves." To prevent these consequences, an Act of 1774 provided that a slave could not be left within the state and an Act of 1784 provided that slaves would become free upon reaching the age of 25 years.<sup>80</sup>



*(Courtesy New Britain Chamber of Commerce)*

NEW BRITAIN—ELIHU BURRITT MEMORIAL

The opposition to the continuation of the institution was further indicated in the case of Nancy Jackson vs Bulloch brought, in behalf of a Negro slave born in Georgia, against her owner, J. C. Bulloch, who was residing temporarily in Hartford where his children were in school. In a divided opinion, the court granted Nancy her freedom in a liberal interpretation of the earlier laws. It was held that she had been "left" in Connecticut in the meaning of the 1774 Act, although it had not been intended that the slave would stay permanent within the state. It was further held that residents of another state could not claim privileges



denied those of Connecticut. In pronouncing its decisions, the court enunciated principles, despite conflicts between theory and practice, which were of enduring significance in the struggle for human liberty. "Every human being," the decision reads, "has a right to liberty, as well as to life and property, and to enjoy the fruits of his own labor."<sup>81</sup>

Connecticut espoused the principles of the reform movements, but stopped short of legislation to make these an effective reality. Religious conviction led to a fear that character could be weakened by too much assistance and established limits to society's efforts to improve or assist him through humanitarian efforts. This, and a prudence in the expenditure of public funds, prevented Connecticut from approaching adequate provisions to meet the acknowledged needs of society. Where a principle, rather than the relief of a condition, was involved, liberalism was extended to the limits defined by religious orthodoxy.

A Connecticut Yankee, so Vernon L. Parrington suggests, was not averse to turning an honest penny when he became his brother's keeper. It is, at least, true that, in the decisions on social reforms, cost was a far more important determinant than need. The town poor were farmed out to the lowest bidders. Assistance to the insane was limited to assistance to private enterprise. Asylums for the deaf and dumb would not admit those who could not pay the tuition. The balance sheet was an important determinant in the location of the prison at Wethersfield. Care for the unfortunate was the primary responsibility of the individual. Preachers harangued about the evils of drink, but did not expect those who had invested capital to assume any responsibility for control.

The reluctance of the state to intensify its efforts in behalf of the welfare of its unfortunates is brought more clearly into focus when the attitude is set off against the state of public finances. The business of government was practically self-sustaining. For all practical purposes, Connecticut was free of debt. The state enjoyed extraordinary receipts, which provided a large percentage of the funds for the state's budget and even larger amounts for distribution to the towns. The permanent fund which had been established from the profits of the American Revolution was transferred from United States stocks to bank stocks during the period. This fund had grown to \$400,000 by 1846, and had yielded,



since 1833, approximately \$30,000 annually.<sup>82</sup> From the federal government, the state received approximately one and one-half million dollars. All, except about forty thousand of this, was distributed to the towns, who used the returns to keep the taxes for the costs of local government low.<sup>83</sup> In addition, the school fund provided monies for almost all of the cost of public education. The income from this fund had increased to \$120,000 annually by 1846.<sup>84</sup> With these very favorable financial conditions, the state could have supported a program commiserate with the needs of the unfortunate. She was content, however, to keep taxes at one cent on each dollar of the grand list. Taxes yielded an average of about forty thousand a year or less than half of the state budget which at no time during the period exceeded \$95,000. Connecticut residents, then, paid an average of less than thirteen cents per capita for the support of their government. The government, in the period 1818-1846, spent an average of about thirty cents per capita. Instead of using its resources for the improvement of her institutions or the care of its citizens, the state used the income merely to reduce taxes. Connecticut was busy making money.

## NOTES—CHAPTER XX

<sup>1</sup> Morse, *Neglected Period*, pp. 126-27.

<sup>2</sup> Robbins, *Diary*, Vol. I, pp. 885-86; Charles Beecher, ed., *Autobiography, Correspondence, etc., of Lyman Beecher, D.D.*, Vol. I, (New York: 1864), pp. 442, 450.

<sup>3</sup> *Ibid.*

<sup>4</sup> Morse, *Neglected Period*, p. 126.

<sup>5</sup> *Ibid.*, p. 125.

<sup>6</sup> *Ibid.*, pp. 129-30; Edward Clinton Gardner, "Man as a Sinner in Nineteenth Century New England Theology: A Study in the Challenge of Romantic Humanitarianism," (Unpublished doctoral thesis, Yale University, 1952), pp. 143-65.

<sup>7</sup> *Ibid.*, pp. 123-24; *Dictionary of American Biography*, Vol. V, pp. 573-77; Morse, *Neglected Period*, pp. 129-30.

<sup>8</sup> Thomas Duggan, "The Catholic Church in Connecticut," in Osborn, ed., *History of Connecticut*, Vol. III, pp. 459-462; Austin Frank Munich, "The Beginnings of Roman Catholicism in Connecticut," Tercentenary Commission of Connecticut (New Haven, n.d.), pp. 16-18; Sister Maria Renata Daily, "The Connecticut Mind and Catholicism, 1829-1860: A Case Study in the Evolution of New England Society," (Unpublished doctoral thesis, Yale University, 1939), p. 54.

<sup>9</sup> *Ibid.*, pp. 26-51, 67-89, 97-103.

<sup>10</sup> *Ibid.*, pp. 67-89, 107-108, 125-28.

<sup>11</sup> Duggan, "Catholic Church in Connecticut," pp. 468-77, 486-87.

<sup>12</sup> Daily, "The Connecticut Mind and Catholicism," pp. 138, 201-226.

- <sup>13</sup> *Ibid.*, p. 145.
- <sup>14</sup> Gardner, "Man as a Sinner in Nineteenth Century New England Theology," pp. 143-65.
- <sup>15</sup> Morse, *Neglected Period*, p. 127.
- <sup>16</sup> *Ibid.*, pp. 131-32.
- <sup>17</sup> *Ibid.*
- <sup>18</sup> *Ibid.*
- <sup>19</sup> *Ibid.*, pp. 132-34.
- <sup>20</sup> Charles Roy Keller, *The Second Great Awakening in Connecticut*, (New Haven, 1942), pp. 136-37.
- <sup>21</sup> *Ibid.*, pp. 138-154.
- <sup>22</sup> *Ibid.*, pp. 215-220.
- <sup>23</sup> *Ibid.*, pp. 188-215.
- <sup>24</sup> *Ibid.*, p. 139.
- <sup>25</sup> *Ibid.*, p. 141.
- <sup>26</sup> Morse, *Neglected Period*, p. 204.
- <sup>27</sup> *Ibid.*, p. 204; Keller, *Second Great Awakening*, p. 142.
- <sup>28</sup> Beecher, ed., *Autobiography . . . of Lyman Beecher*, Vol. I, pp. 246-48.
- <sup>29</sup> Keller, *Second Great Awakening*, pp. 144-45.
- <sup>30</sup> *Ibid.*, pp. 150-51.
- <sup>31</sup> Morse, *Neglected Period*, p. 206.
- <sup>32</sup> *Ibid.*, pp. 206-207; Keller, *Second Great Awakening*, pp. 154-55.
- <sup>33</sup> Lyman Beecher, *Six Sermons on Intemperance* (New York, 1838), pp. 5-14, 38, 105.
- <sup>34</sup> *Ibid.*, pp. 14-64.
- <sup>35</sup> *Ibid.*, p. 65.
- <sup>37</sup> Morse, *Neglected Period*, pp. 208-209; Keller, *Second Great Awakening*, pp. 156-57.
- <sup>38</sup> Morse, *Neglected Period*, pp. 214-16.
- <sup>39</sup> *Ibid.*, pp. 213-14.
- <sup>40</sup> *Ibid.*, pp. 214-16.
- <sup>41</sup> *Ibid.*, pp. 215-16.
- <sup>42</sup> Keller, *Second Great Awakening*, pp. 165-69.
- <sup>43</sup> *Ibid.*, pp. 169-71; Henry F. Walradt, *The Financial History of Connecticut from 1789 to 1861* (New Haven, 1912), pp. 95, 108.
- <sup>44</sup> Keller, *Second Great Awakening*, p. 171.
- <sup>45</sup> Capen, *Poor Law of Connecticut*, p. 159; Keller, *Second Great Awakening*, p. 172.
- <sup>46</sup> *Ibid.*, pp. 172-74.
- <sup>47</sup> Capen, *Poor Law of Connecticut*, pp. 231-37; Walradt, *Financial History of Connecticut*, pp. 95, 108.
- <sup>48</sup> Keller, *Second Great Awakening*, pp. 174-75.
- <sup>49</sup> *Ibid.*, pp. 175-78.
- <sup>50</sup> Walradt, *Financial History of Connecticut*, p. 75.
- <sup>51</sup> In the early 19th century, the provisions for acquiring a settlement were not changed basically and approval of Inhabitants and officials, ownership of property, and commorancy continued to be bases for this. Only details were changed. In 1810, the requirement for payment of taxes during the six years before settlement was acquired became an additional requirement for receiving legal settlement but was not a ground for removal, and thus did not interfere with freedom of residence. In 1821, non-payment of these taxes was not listed as a bar to settlement, but became a ground of removal during the six years. If not exercised, then legal settlement was achieved, apparently. In 1830, there was a reversion to the 1810



- provision, withdrawing non-payment as a ground for removal, but leaving it as a ground for not securing settlement. Capen, *Poor Law of Connecticut*, pp. 102-106.
- 51a Capen, *Poor Law of Connecticut*, pp. 138-43.
- 51b Walradt, *Financial History of Connecticut*, pp. 84-85, 107.
- 51c Capen, *Poor Law of Connecticut*, p. 134.
- 51d *Ibid.*, p. 118.
- 51e *Ibid.*, pp. 133-35.
- 51f *Ibid.*, p. 134.
- 52 Keller, *Second Great Awakening*, p. 234.
- 53 *Ibid.*
- 54 Bomhoff, "Development of State Support of Teacher Education," p. 84.
- 55 *Ibid.*
- 56 Morse, *Neglected Period*, pp. 187-88.
- 57 *Ibid.*, p. 188.
- 58 Bomhoff, "Development of State Support of Teacher Education," p. 84.
- 59 Catherine Beecher, *The Duty of American Women to Their Country*, (New York, 1845), pp. 62-72.
- 60 Bomhoff, pp. 318-19; See A. Lutz, *Emma Willard*.
- 61 Morse, *Neglected Period*, p. 190.
- 62 Beecher, ed., *Autobiography . . . of Lyman Beecher*, pp. 63-70.
- 63 *Ibid.*, p. 69.
- 64 *Ibid.*, pp. 158-62.
- 65 *Statutes of the State of Connecticut, 1849*, pp. 273-74.
- 66 Morse, *Neglected Period*, p. 191.
- 67 *Ibid.*, pp. 192-93; Robert C. Senior, "New England Congregationalism and the Anti-Slavery Movement, 1830-1860," (Unpublished doctoral thesis, Yale University, 1954).
- 68 *Ibid.*, pp. 30-39.
- 69 *Ibid.*, pp. 45-50, 74-89, 127-34.
- 70 Bernard Steiner, *History of Slavery in Connecticut*, Johns Hopkins University Studies in History and Political Sciences (Baltimore, 1893), pp. 415-18; Anna T. McCarron, "Trial of Prudence Crandall for Crime of Educating Negroes in Connecticut," *The Connecticut Magazine*, Vol. 12, 1908, pp. 225-28.
- 71 *Ibid.*, pp. 228-30; Steiner, *History of Slavery in Connecticut*, pp. 418-20.
- 72 *Ibid.*, pp. 420-22; McCarron, "Trial of Prudence Crandall," pp. 230-32.
- 73 Senior, "New England Congregationalism and the Anti-Slavery Movement," pp. 50-70.
- 74 *Ibid.*, pp. 173-78.
- 75 *Ibid.*, pp. 181-82.
- 76 Steiner, *History of Slavery in Connecticut*, pp. 426-28; Ralph Foster Weld, "Slavery in Connecticut," Tercentenary Commission of the State of Connecticut, (New Haven, n.d.), pp. 27-28.
- 77 Steiner, *History of Slavery in Connecticut*, pp. 58-59.
- 78 *Ibid.*, pp. 60-67.
- 79 *Ibid.*, pp. 67-68; Weld, "Slavery in Connecticut," pp. 27-29.
- 80 Steiner, *History of Slavery in Connecticut*, p. 455.
- 81 *Ibid.*; Weld, "Slavery in Connecticut," pp. 25-26.
- 82 Walradt, *Financial History of Connecticut*, pp. 70-72.
- 83 *Ibid.*, p. 76.
- 84 *Ibid.*, pp. 78-79.





PROPERTY OF  
HOLMES SCHOOL  
DARIEN, CONN.

PROPERTY OF  
HOLMES SCHOOL  
DARIEN, CONN.



